



An
Coimisiún
Pleanála

Direction
CD-021930-26
ACP-323027-25

The submissions on this file and the Inspector's report were considered at a meeting held on 16/02/2026.

The Commission decided for a licence to be issued generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Planning

Commissioner: *Eamonn James Kelly*
Eamonn James Kelly

Date: 16/02/2026

DRAFT WORDING FOR ORDER

Reasons and Considerations

Having regard to the provisions of Section 254 of the Planning and Development Act 2000, as amended, to national, regional and local policy objectives, including the relevant provisions of the Fingal Development Plan 2023-2029, to ensure appropriate telecommunications infrastructure is provided within the County, to the Department of Environment, Heritage and Local Government Section 28 Statutory Guidelines, Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities 1996, as updated by circular letter PL 07/12 in 2012, to the nature and scale of the development and the documentation received with the application and appeal, including photomontage and technical justification

information, it is considered that, subject to compliance with the conditions set out below, the proposed development would promote the provision of a high quality ICT network, would not seriously injure the residential or visual amenities of the area or of property in the vicinity and would constitute an acceptable form of telecommunications infrastructure at this urban location. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission concluded that the proposed development 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 Environmental Impact Assessment, or Environmental Impact Assessment is required .

Conditions

1. The development shall be carried out and completed 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 interests of clarity.

2. This licence is for one 18 metre freestanding pole and antennae and associated operator cabinet only in accordance with the details submitted to the Planning Authority on the 20th day of May 2024.

Reason: To clarify the nature and extent of the permitted development to which this licence relates and to facilitate a full assessment of any future alterations.

3. The licence shall be valid for a period of five years only effective from the date of Fingal County Council Chief Executives Order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, a further Section 254 licence has been granted for their retention for a further period.

(b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority at least one month before the date of expiry of this licence.

Reason: To enable the impact and acceptability of the development to be reassessed, having regard to changes in technology and design during the specified period.

4. In the event of the mast and antennae becoming obsolete, and being decommissioned, the developer/operator shall at their own expense remove the mast and antennae, and return the site to its condition before development of the subject mast.

Reason: In the interests of the proper planning and sustainable development of the area.

5. Where in the opinion of the planning authority that due to the: increase or alteration of traffic on the road; widening of the road; or any improvement of the road, the appliance, apparatus, or structure causes an obstruction or becomes dangerous, the planning authority may by notice in writing withdraw the licence and require the licensee to remove the appliance, apparatus, or structure at their own expense.

Reason: In the interests of the proper planning and sustainable development of the area.

6. During the operational phase of the proposed development the noise level shall not exceed (a) 40 dB(A) rated sound level and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior within 3 months of grant of this licence.

- b) The applicant shall provide details of proposed mitigation measures that includes the insertion of a baffle within the cabinet or other noise reduction apparatus for the written agreement of the planning authority within 3 months of grant of this licence.

Reason: To protect the residential amenities of property in the vicinity of the site

7. The developer/operator shall provide and make available, on reasonable terms the said mast for the provision and location of mobile telecommunications antennae of third-party mobile phone and telecommunications operators.

Reason: To avoid the multiplicity of masts within the county and the proper planning and development of the area.