



Planning and Development Acts 2000 to 2017

Planning Authority: Fingal County Council

Planning Register Reference Number: F17A/0611

Appeal by Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 30th day of November, 2017 by Fingal County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of existing 32.8 metres telecommunications monopole with associated equipment and fencing. Eir Exchange, Beau, Rush, Co. Dublin.

Decision

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to AMEND condition number 2 so that it shall be as follows for the reason set out.

2. Within 3 months of the date of this order, the applicant shall submit to, and agree in writing with, the planning authority revised elevations indicating the number of antenna on the monopole at the time the planning application was lodged to the planning authority.

Reason: To define the extent of the development hereby permitted.

Reasons and Considerations

Having regard to the planning history of the appeal site, the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment in July 1996 and Circular Letter PL 07/12 issued by the Department of Environment, Community and Local Government, and the objectives of the Fingal County Development Plan 2017-2023, it is considered that, subject to the amendment of condition number 2 as above, the development proposed to be retained would be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to limit the maximum number of additional antenna to be attached, the Board considered the proposed retention of the monopole mast as a new application for permission, which is not governed by conditions of a previous permission(s). The Board also noted the recent amendments of Part 1 of Schedule 2 to the Planning and Development Regulations 2001, as amended, by S.I. No. 31 of 2018.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

John Connolly

Member of An Bord Pleanála

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

Dated this day of 2018.