



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0118

Appeal by Cignal Infrastructure Limited care of 4Site, 4Site House, Raheen Business Park, Limerick against the decision made on the 26th day of June, 2020 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: Construct a 24 metre high multi-user lattice tower telecommunications structure, carrying antenna and dishes enclosed within a 2.4 metre high palisade fence compound together with associated ground equipment and associated site works at Quinns Farm, Garristown Townland, Garristown, County Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

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.

Reasons and Considerations

Having regard to the National Planning Framework, the Fingal County Development Plan 2017-2023, the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996 and associated Circular Letter PL07/12, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the landscape character and visual amenity of the area or the amenities of property in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the proposed development would not seriously injure the landscape and visual amenities of the area, would not unduly impact on designated preserved views, and would not seriously injure the residential amenity of adjoining property.

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 interest of clarity.

2. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

3. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

4. Within six months of the date of cessation of use, the telecommunications structure and ancillary structures shall be removed, and the site shall be reinstated at the developer's expense. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the date of cessation of the use of the structure. Reinstatement shall be deemed to include the grubbing out of and replanting of the access track created in association with the development permitted herein.

Reason: In the interest of the visual amenities of the area.

5. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

Reason: In the interest of the visual amenities of the area

John Connolly
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this day of 2020.