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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: F20A/0147**

**Appeal** by Cignal Infrastructure Limited care of 4Site of 4Site House, Raheen Business Park, Limerick against the decision made on the 9<sup>th</sup> day of July, 2020 by Fingal County Council to refuse permission for the proposed development.

**Proposed Development:** Installation of six number antenna and two number transmission dishes on supporting poles together with equipment cabinets, cabling and associated site works at the roof level at Carechoice Swords, Bridge Street, Townparks, Swords, 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 'MC' zoning which applies to the site under the Fingal County Development Plan 2017-2023, under which telecommunications structures are permissible, together with the nature and scale of the proposed development and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, or the character and/or setting of protected structures in the vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## **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. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority, proposals in relation to the location of the outdoor cabinets, where possible locating these structures away from the roof edge in order to minimise their visual impact.

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

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

**Reason:** In the interest of protecting 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.

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

5. 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 protecting the visual amenities of the area.

6. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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**Stephen Bohan**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board.**

**Dated this            day of            2020.**