



Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: F20A/0397

APPEAL by AP Wireless Ireland Investments Limited care of Entrust Limited of Unit 3F Deerpark Business Centre, Oranmore, County Galway against the decision made on the 5th day of October, 2020 by Fingal County Council to refuse permission.

Proposed Development: The removal of an existing 13 metres telecommunications support structure together with telecommunications equipment on it and replacement with a new 24 metre multi-user free standing support structure carrying telecommunications equipment including antennas, RRUs and dishes, together with associated exchange cabinets, fencing and all associated site development works. The development will provide for wireless data and broadband services at land adjacent to Windmill House, Garristown Townland, Garristown, County Dublin.

Decision

REFUSE permission for the above proposed development in accordance with the reasons and considerations 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

The proposed development, by reason of height and design and located on an elevated and exposed ridgeline, in close proximity to a recently permitted telecommunications tower granted under An Bord Pleanála reference number ABP-307642-20, would result in a visually obtrusive form of development which would be seriously injurious to the landscape character and visual amenities of the area and would be contrary to objective DMS144 of the Fingal Development Plan 2017-2023, which seeks to avoid the location of such structures in highly sensitive landscapes. Furthermore the proposed development would be contrary to the provisions of the Ministerial Guidelines, 'Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities', published in July 1996 by the Department of the Environment and Local Government, which state that great care will have to be taken when dealing with fragile or sensitive landscapes, that sharing of installations will normally reduce the visual impact on the landscape and that while clustering of masts may be encouraged where it is not possible to share a structure, on hill tops clustering may not offer any improvement from the point of view of visual intrusion. Having regard to the above, it is considered that the proposed development would be contrary to the relevant provisions of the development plan, contrary to the Ministerial Guidelines and 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 considered the nature of the proposed development, in its locational context and by reference to the impact on the visual and landscape character of the area, on foot of the permitted 24 metre lattice telecommunications tower, granted in close proximity to the subject site under An Bord Pleanála reference number ABP-307642-20. The Board determined that while the character of the area could sustain a single new communications tower, the cumulative impact of two such towers in close proximity would seriously injure the visual amenity of the area and would be contrary to the relevant provisions of the development plan and of the Ministerial Guidelines regarding, overall assessment of visual impact, the encouragement of sharing of structures and the commentary that even where clustering may be considered, such an approach may not offer any improvement from the point of view of visual intrusion.

Chris McGarry
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board

Dated this day of 2021