

An
Bord
Pleanála

Board Order
ABP-310658-21

Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council

Planning Register Reference Number: S254W/06/20

Appeal by Cingal Infrastructure Limited care of CMC Planning Consultants of Fumbally Exchange, Argus House, Blackpitts, Dublin against the decision made on the 4th day of March, 2021 by Fingal County Council to refuse a licence.

Licence Application: Erection of a 15 metres high slim line Alpha 2 pole as part of “street works”, along with associated cabinet within the carriageway of the public road at Porterstown Road, Clonsilla, Dublin.

Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to grant a licence, 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 provisions of section 254 of the Planning and Development Act, 2000, as amended, to national, regional and local policy objectives as set out in the Fingal County Development Plan 2017-2023, Objectives IT01 and IT07, and to the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) as updated by Circular Letter PL 07/12, it is considered that, subject to compliance with the conditions set out below, the proposed development would be consistent with the relevant provisions of the development plan, would not seriously injure the amenities of the area or architectural heritage or residential amenity in the vicinity, would not interfere with the convenience and safety of road users including pedestrians, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The licence shall be valid for a period of 10 years from the date of this Order. The telecommunications structure and related ancillary structures including any access arrangements shall then be removed and the site lands shall be reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

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

2. The antenna type and mounting configuration shall be in accordance with the details submitted with this application for a licence, and notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

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

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

Reason: In the interest of public health and to prevent flooding.

4. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.

5. Details of the proposed colour scheme for the pole, antennas, equipment containers and any perimeter fencing shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

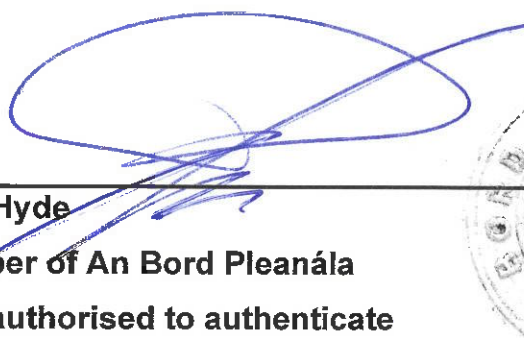
Reason: In the interest of the visual amenities of the area.

6. Landscaping of the site shall be carried out in accordance with a landscaping scheme, details of which shall be submitted to and agreed in writing with planning authority prior to commencement of development.

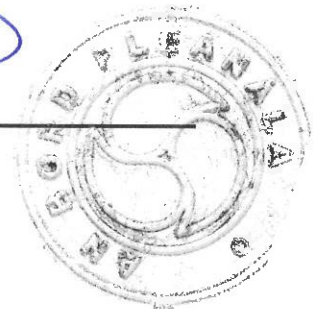
Reason: In the interest of the visual amenities of the area.

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure 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.



Paul Hyde
Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this *3rd* day of *December* 2021.