

Planning and Development Acts 2000 to 2020

Planning Authority: Fingal County Council.

Planning Register Reference Number: FW21A/0110

Appeal by ESB Telecoms Limited of 43 Merrion Square East, Dublin against the decision made on the 11th day of August, 2021 by Fingal County Council to refuse permission to the said ESB Telecoms Limited for the proposed development.

Proposed Development: Extension to the existing 14.5 metres high telecommunications structure for the purposes of carrying additional antennae, communication dishes, and all ancillary equipment (overall proposed height of main structure 19.5 metres) to be shared with multiple operators, all at ESB Telecoms Compound within the ESB Castleknock 38kV Substation, Carpenterstown, Castleknock, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on 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

Having regard to:

- (a) the National Planning Framework Project Ireland 2040,
- (b) the national strategy regarding the improvement of mobile communications services,
- (c) the guidelines relating to telecommunications antennas and support structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996, as updated by Circular Letter PL 07/12 issued by the Minister for the Environment, Community and Local Government on the 19th day of October, 2012 under Section 28 of the Planning and Development Act 2000, as amended,
- (d) the policy of the planning authority, as set out in the Fingal County Development Plan 2017-2023, to support the provision of telecommunications and broadband infrastructure,
- (e) the established use of the site,

- (f) the potential for sharing of the structure and site with other operators,
and
- (g) the general topography of the site and orientation of residential properties
within the vicinity of the site to the proposed development,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would not be prejudicial to public health and 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, details of the proposed colour scheme for the additional installations shall be submitted to, and agreed in writing with, the planning authority.

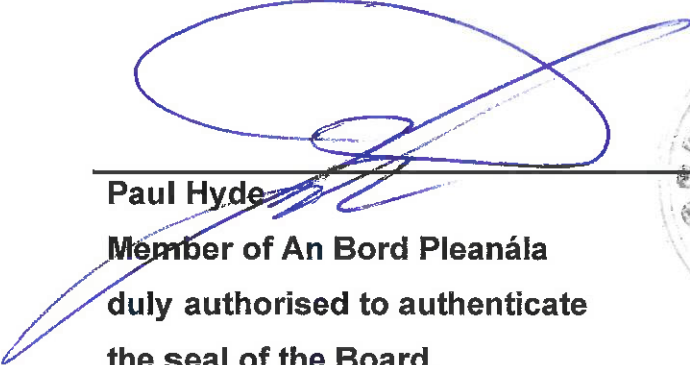
Reason: In the interests of visual amenity and orderly development

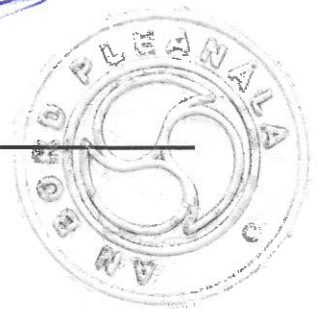
- 3 Any additional panels or structures, proposed to be attached to the mast exceeding 1.3 metres in any dimension, shall be the subject of a separate planning application.

Reason: To regulate and control the layout of the development in the interest of orderly development

- 4 No advertising signage shall be erected on the mast, or ancillary equipment.

Reason: In the interest of visual amenity.


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



Dated this 12th day of November 2021.