



An
Bord
Pleanála

Board Order
ABP-312051-21

Planning and Development Acts 2000 to 2021

Planning Authority: Fingal County Council

Planning Register Reference Number: S254/01/21

APPEAL by Cignal Infrastructure Limited (Cellnex Telecoms) care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 19th day of October, 2021 by Fingal County Council to refuse a licence.

APPLICATION: Streetpole solution to address identified mobile and mobile broadband coverage blackspots at Public Grass Verge, adjacent to bus stop, R126, Portrane, County 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, based on the reasons and considerations under, **ALLOWS** the appeal and directs the planning authority to **GRANT** a licence 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 the section 254 of the Planning and Development Act, 2000 (as amended), the Fingal County Development Plan 2017-2023, and the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities' (1996) (as updated by Circular Letters PL 07/12 and PL11/2020, respectively), it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually obtrusive and would not seriously injure or detract from the visual amenities of the area, or the Portrane Architectural Conservation Area, and it would not seriously injure the amenities of the surrounding vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development in 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 any works being carried out, the developer shall agree details of the location of the proposed monopole, its concrete base/surround and related equipment cabinet with the planning authority.

Reason: In the interests of public safety and traffic safety.

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. 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.



Paul Hyde

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**

Dated this *30th* day of *March* 2022