



Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0216

Appeal by Cora McDonagh of 18 Oakleigh, Drogheda Street, Balbriggan, County Dublin against the decision made on the 5th day of April, 2022 by Fingal County Council to grant subject to conditions a permission to Eir (Eircom Limited) care of Towercom Limited of Usher House, Main Street, Dundrum, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: The replacement of an existing telecommunications support structure (12 metres in height), with a proposed new lattice tower (overall height of 21.5 metres) carrying new telecommunications antennas, dishes and associated equipment, together with new ground level equipment cabinets, fencing, landscaping and all associated site works at Eir Exchange, Drogheda Street, Balbriggan, County Dublin. Further public notices were received by the planning authority on the 11th day of March, 2022.

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.

Reasons and Considerations

Having regard to the provisions of the Fingal County Development Plan 2023-2029, including the zoning objective for the site ('MC – Major Town Centre), which seeks to protect, provide for and/or improve major town centre facilities, 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 or public health in the vicinity of the proposed telecommunications mast. 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, as amended by plans and particulars received on the 28th day of February 2022, 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. 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 the visual amenities of the area.



3. Landscaping of the site shall be carried out in accordance with a landscaping scheme which 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.
Reason: In the interest of public health.
5. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 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.
6. The developer/operator of the telecommunications mast shall facilitate the co-location of other third-party telecommunications antennae and associated equipment.
Reason: To encourage the co-location of telecommunications facilities and reduce the need for new telecommunications structures.



Joe Boland

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

Dated this *10TH* day of *November* 2023.