



An  
Bord  
Pleanála

## Board Order ABP-314492-22

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**Planning and Development Acts 2000 to 2022**

**Planning Authority: Fingal County Council**

**Planning Register Reference Number: S254/07/22**

**Appeal** by Emerald Tower Limited care of Entrust Limited of Unit 1D, Deerpark Business centre, Oranmore, County Galway against the decision made on the 18<sup>th</sup> day of August, 2022 by Fingal County Council Council to refuse a licence to Emerald Tower Limited.

**Licence Application:** Streetworks solution to address identified mobile and wireless broadband coverage blackspots at Wendell Avenue, Carrickhill, Portmarnock, 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, directs the planning authority to REFUSE a licence, based on the reasons and considerations under.

## REASONS AND CONSIDERATIONS

The Board noted the importance of the need for Information and Communications Technology is strongly supported by policy expressed in Section 14.20.9 of the Fingal Development Plan 2023-2029 and that the stated policy also recognises that the advantages of a high-quality ICT structure must be balanced against the need to safeguard the rural and urban environment.

It is considered that the proposed telecommunications structure development to accommodate a single operator, notwithstanding that it is stated to make provision to accommodate dual operators and therefore facilitate co-location/sharing of infrastructure, would, when taken in combination with another similar development for a telecommunications monopole structure, circa 25 metres south of the appeal site (An Bord Pleanála appeal reference number ABP-314637-22 refers), contribute to a proliferation of telecommunications infrastructure in the area. Permitting the proposed development in this specific context would be contrary to stated policy and objectives of the Fingal Development Plan 2023-2029 including Objective DMS0222 (Co-location of antennae) and Objective DMS0224 (Applications for Telecommunications Structures) and the related national policy expressed in Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment 1996 as updated by Circular Letters PL 07/12 and PL 11/2020, respectively, in respect of co-location and avoidance of unnecessary proliferation of masts. The proposed development 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 agreed with the Inspector that the proposed development alone would not result in a significant negative visual impact on the surrounding vicinity or seriously injure the residential amenities of the area. However, the Board noted the proposed telecommunications structure development, when taken in combination with another similar development for a telecommunication monopole structure circa 25 metres

south of the appeal site, would contribute to a proliferation of telecommunications infrastructure in the area, that in turn would be contrary to stated policy expressed in the current Development Plan for the area and at a national level, in respect of co-location and avoidance of unnecessary proliferation of masts. In relation to the site-specific context, the Board considered that the proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

*Patricia Calleary*

**Patricia Calleary**

**Member of An Bord Pleanála**

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

Dated this *2* day of *November* 2023.