

An
Bord
Pleanála

Board Order ABP-314637-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: S254/03/22

Appeal by Cignal Infrastructure Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 16th day of August, 2022 by Fingal County Council to grant, subject to conditions, a licence to CIGNA Infrastructure Limited.

Licence Application: Section 254 Licence for street pole solution to address identified mobile and mobile broadband coverage blackspots at Public footpath along Wendell Avenue, Carrick hill, ITM E = 724245.998 N = 744332.477, Portman, 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, would, when taken in combination with another similar development for a telecommunications monopole structure, circa 25 metres north of the appeal site (An Bord Pleanála appeal reference number ABP-314492-22 appeal case refers) that is set out in its grounds of appeal to make provision to accommodate dual operators and, therefore, facilitate co-location/sharing of infrastructure, 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 current Development plan for the area 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 in 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 detract from the visual amenities of the area or conflict with pedestrian movements giving rise to a traffic hazard. However, the Board noted the proposed telecommunications structure development, when taken in combination with another similar development for a telecommunication monopole structure c.25m north of the

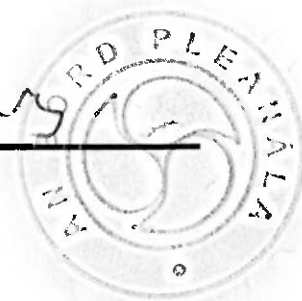
appeal site, would contribute to a proliferation of telecommunications infrastructure in the area, that in turn would be contrary to stated policy expressed in the statutory development plan and at a national level, in respect of co-location and avoidance of unnecessary proliferation of masts. In relation 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 *14* day of *November* 2023.