

An
Bord
Pleanála

Board Order ABP-315016-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

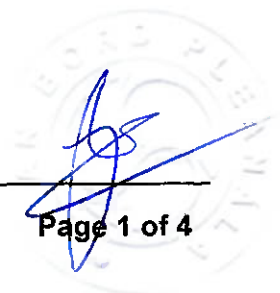
Planning Register Reference Number: S254W/07/22

Appeal by Signal Infrastructure Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 15th day of September, 2022 by Fingal County Council to refuse a licence.

Licence Application: Section 254 licence for streetpole solutions to address identified mobile and mobile broadband coverage blackspots at The Boulevard, Tyrrelstown, 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 **GRANT** a licence, based on the reasons and considerations under and subject to the conditions set out below.



REASONS AND CONSIDERATIONS

Having regard to the nature, scale and design of the proposed development, which is a free-standing monopole carrying telecommunications equipment with ancillary ground-mounted infrastructure, to the provisions of section 254 of the Planning and Development Act, 2000, as amended, to the Fingal County Development Plan 2023 - 2029, and to the "Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities", issued by the Department of the Environment and Local Government in July 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 seriously injure the visual or residential amenities of the area would not result in a significant negative visual impact on the surrounding vicinity, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

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. (a) This licence shall apply for a period of five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, continuance shall have been granted for their retention for a further period.
- (b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority at least one month before the date of expiry of this licence.

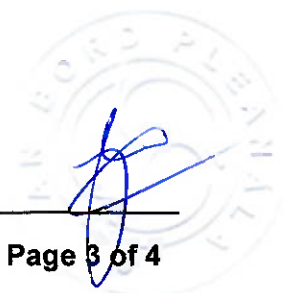
Reason: To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Details of the proposed colour scheme for the telecommunications structure and ancillary structures 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. Landscaping of the site shall be carried out in accordance with a landscaping scheme which shall be submitted to, and agreed in writing with, planning authority prior to commencement of development.

Reason: In the interest of the visual amenities of the area.

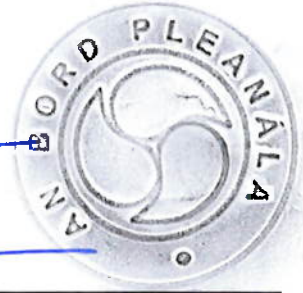


5. The developer shall allow, subject to reasonable terms, other licenced mobile telecommunications operators to co-locate their antenna onto the proposed structure.

Reason: In order to avoid the proliferations of telecommunications structures in the interest of visual amenity.

6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site.

Reason: In the interest of the visual amenities of the area.



Joe Boland

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.

Dated this *1ST* day of *March* 2024.