



Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F21A/0640

Appeal by Martin Jones care of CWPA Planning and Architecture of Unit 10 North Street Business Park, Seatown West, Swords, County Dublin against the decision made on the 3rd day of November, 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: Replacement of an existing telecommunications support structure (overall height of 32.8 metres), with a proposed new lattice tower (overall height of 38.8 metres), carrying the telecommunications equipment transferred from the existing structure and the addition of new telecommunications antennas, dishes and associated equipment, together with new ground level equipment cabinets and fencing at Eir Exchange, Whitestown Road, Beau, Rush, County Dublin.

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 nature, extent and design of the proposed development, the established use on the site and associated planning history, and also having regard to the provisions of the Fingal Development Plan 2023 to 2029, and relevant National Guidance, the Board considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The applicant has provided sufficient information to demonstrate that the site is appropriate for a telecommunication installation and that there is a need for this structure in this location. The proposed development 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, as amended by the further plans and particulars submitted on the 11th day of October 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

Reason: In the interest of public health.

3. Prior to commencement of development, 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.

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

4. 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.

5. The operator shall provide, and make available, on reasonable terms the lattice tower for the provision of mobile telecommunications antennae of third-party mobile phone and telecommunications operators.

Reason: To avoid a multiplicity of masts in the locality in the interests of the proper planning and sustainable development of the area.

A handwritten signature in blue ink, which appears to read 'Tom Rabbette', is written over a circular official seal. The seal contains the text 'AN BORD PLEANÁLA' around its perimeter and a central logo consisting of three interlocking swastika-like symbols.

Tom Rabbette

Member of An Bord Pleanála

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

Dated this 24th day of Jan. 2024.