

An
Bord
Pleanála

Board Order ABP-315370-22

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F22A/0418

Appeal by Vantage Towers Limited care of Charterhouse Infrastructure Consultants of HQ, 27 Market Street, Listowel, County Kerry against the decision made on the 1st day of December, 2022 by Fingal County Council to refuse permission.

Proposed Development: Erect six number antenna, one number microwave dish together with associated telecommunications equipment on the building rooftop at Bayside Shopping Centre, Bayside Square East, Sutton, County Dublin.

Decision

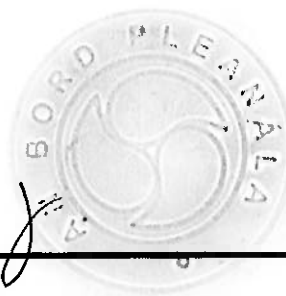
REFUSE permission for the above proposed development for the reasons and considerations set out below.


Reasons and Considerations

Having regard to the zoning of the site 'LC' Local Centre with an objective to 'protect, provide for and/or improve local centre facilities', the policies of the Fingal Development Plan 2023-2029, including Objective IUO53 which seeks to ensure a high-quality design of masts, towers, antennae and other such telecommunications infrastructure in the interest of visual amenity, and Objective IUO48 which seeks to facilitate the provision of appropriate telecommunications infrastructure, whilst protecting the amenities of urban areas, the Board considered that, given the lack of a coherent approach, the proposed development, in conjunction with other applications on the same site, would result in a proliferation of structures in an incongruous way and would result in a negative impact on visual amenity, contrary to Objectives IUO48 and IUO53 of the Fingal Development Plan 2023-2029. 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, and shared the view of, the planning authority that, in the absence of a co-ordinated and coherent approach, the proposed development, in conjunction with other applications on the same site, would result in a proliferation of such structures in an obtrusive and incongruous way and would result in a negative impact on visual amenity. The Board noted and agreed with the commentary in the Inspector's report that telecoms sharing on the same building, rather than in a number of proximate locations, is supported by the telecommunications guidelines. However, given the stand-alone applications on the same site, and in the absence of detailed consistent and consolidated drawings, the Board did not agree with the Inspector that the applicant's approach to co-location would not represent a proliferation of telecommunications equipment. While the Board agreed with the Inspector that the clustering of telecoms structures may be acceptable, in so far as it would reduce the proliferation of such structures appearing on sites elsewhere in the locality, the Board did not agree that the proposed development, in conjunction with concurrent proposals, would be visually acceptable.

The Board considered that the proposed 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.





Mary Cregg

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board

Dated this 17th day of April 2024.