



An
Bord
Pleanála

Board Order ABP-321391-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: S254W/04/24

Appeal by Shared Access Limited care of Pegasus group of South Wing, Equinox North, Great Park Road, Almondsbury, Bristol, England against the decision made on the 10th day of October, 2024 by Fingal County Council to refuse a licence.

Licence Application: Installation off a 18-meter operator pole, associated equipment, together with ground based cabinet and all associated site development works for wireless data and broadband services at Castaheany Lane, Roselawn Road, Castaheany, 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

Environmental Impact Consideration

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.

Proper Planning and Sustainable Development

Having regard to the provisions of section 254 of the Planning and Development Act, 2000, as amended,; the Fingal County Development Plan 2023-2029; and the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (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 amenities of the area or result in a significant negative residential or visual impact on the surrounding vicinity. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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 three 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. In the event of the licence for the telecommunications structure and ancillary structures expiring, the structures shall be removed, and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within one month of the structures ceasing to operate, and the site shall be reinstated, at the expense of the operator, in accordance with details submitted to the planning authority.

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



Tom Rabbette

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 22nd day of April 2025.