

An
Coimisiún
Pleanála

Commission Order
ACP-323576-25

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: S254/02/25

Appeal by Emerald Tower Limited care of Entrust Limited against the decision made on the 17th day of July, 2025 by Fingal County Council to refuse permission.

Proposed Development: Section 254 license for the installation of an 18-metre dual-operator pole, associated equipment, together with ground-based equipment cabinets and all associated site development works for wireless data and broadband services, all at Glasmore Park Road, Swords, County Dublin.

Decision

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

Reasons and Considerations

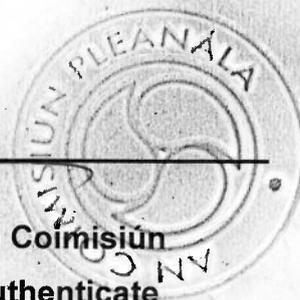
Having regard to Objective DMSO224 (Applications for Telecommunications Structures) of the Fingal Development Plan 2023-2029, which sets out the information to be submitted to support applications for telecommunications structures, including the location of all existing telecommunications structures within a two-kilometre radius of the proposed site, stating reasons why (if not proposed) it is not feasible to share existing facilities having regard to the Code of Practice on Sharing of Radio Sites issued by the Commission for Communications Regulations, and having regard to Objective DMSO17 (Location of New Utility Structures) of the development plan which requires new utility structures, where possible, to not be located on areas of open space, and Objective DMSO227 (Location of New Utility Structures) which seeks, where possible, for new utility structures to not be located on areas of open space, it is considered that, on the facts of the case, insufficient information has been submitted by the applicant to address and justify the proposed location, and on that basis it would not be appropriate to install the proposed operator pole and associated equipment at this location within an area of open space, as it would conflict with objectives DMSO17, DMSO224 and DMSO227 of the Fingal Development Plan 2023-2029. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission 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.



MaryRose McGovern

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this *13th* day of *February* 2026.