



An
Coimisiún
Pleanála

**Commission Order
PL-500275-DF-25**

Planning and Development Act 2000, as amended

Planning Authority: Fingal County Council

Planning Register Reference Number: F25A/0818E

Appeal by Phoenix Tower Ireland III Limited against the decision made on the 23rd day of October, 2025 by Fingal County Council to refuse permission for the proposed development.

Proposed Development: The development will consist of the installation of a 30-metre-high multiuser lattice structure carrying antennas, dishes, remote radio units (RRUs), associated equipment, together with ground-based equipment cabinets, GPS, palisade fencing, gantry poles, cable ladder, cable tray, concrete plinths relocation of existing solar panel on proposed concrete plinth and all associated site development works for wireless data and broadband services at Flemington, Balbriggan, County Dublin.

Decision

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

Reasons and Considerations

Having regard to the location of the proposed 30 metre telecommunications mast in an area zoned objective 'OS', with the vision to provide recreational and amenity resources for urban and rural populations subject to strict development/ environmental controls, and with only community facilities and other recreational uses to be considered and with the location being an area designated as a Highly Sensitive Landscape, it is considered that it has not been sufficiently justified that it is not feasible to relocate and share/co-locate on the existing facilities, that is, on the adjacent mast (Site 21), which is within 300 metres of the proposed location. The proposed development would not be in accordance with Objective DMSO17 (Location of New Utility Structures), Objective DMSO223 (Location of Telecommunications Based Services), Objective IUO54 (Sharing and Co-location of Digital Connectivity Infrastructure) and Objective DMSO224 (Applications for Telecommunications Structure) of the Fingal County Development Plan 2023-2029 and 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 Commission were not satisfied with the level of detail provided in the Technical Justification Report for the proposed development as a replacement for the mast which had a temporary planning permission, given that it is to be located in an area zoned as open space and where there was another existing mast within 300 metres and were not satisfied based on the details in the documentation that relocation of services was not feasible.

The Commission considered that the 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.



Marie O'Connor

Marie O'Connor

Planning Commissioner of An Coimisiún

**Pleanála duly authorised to authenticate
the seal of the Commission.**

Dated this *12th* day of *August* 2026