



An
Bord
Pleanála

Inspector's Report ABP-300387-17

Development	12m Shrouded Totem Structure carrying telecommunications equipment required in the provision of localised mobile and broadband services.
Location	Laurel Lodge Shopping Centre, Castlenock, Dublin 15.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	FW17A/0156
Applicant(s)	Shared Access Ltd
Type of Application	Permission
Planning Authority Decision	Refuse Permission
Type of Appeal	First Party
Appellant(s)	Shared Access Limited
Observer(s)	Frances Fay Frances McGee John Walsh
Date of Site Inspection	21 st of March 2018
Inspector	Angela Brereton

1.0 Site Location and Description

- 1.1. The application site lies within a triangular shaped area at the south-eastern corner of the Laurel Lodge Shopping Centre site, which is located off Laurel Lodge Road and Castlenock Avenue is to the east. It is adjacent to a traffic light controlled entrance to the Shopping Centre. The Centre contains a two storey building with retail units on ground floor and offices at first floor level and includes a Centra store and Kavanagh's public house. There is a parking area alongside and there is existing signage for the centre in the location of the current proposal. The north-western part of the Centre bounds the grounds and playground of Scoil Thomáis National School. The Castlenock Community Centre and Creche facility are located to the south-west. The surrounding area is predominantly two storey residential with a narrow area of open space on the opposite side of Laurel Lodge Road.
- 1.2. There is an existing sign in the location of the subject site which has a stated height of 6.3metres. This is a two-sided sign and includes the name of the Shopping Centre and the names of businesses which are located within the Centre. It is visible in the surrounding area, and it is noted that the site visit took place in March before the roadside trees were in leaf.

2.0 Proposed Development

- 2.1. It is proposed to provide a 12m Shrouded Totem Structure carrying telecommunications equipment required in the provision of localised mobile and broadband services. The structure consists of a triangular section tower designed to be entirely clad with non-commercial informational signage panels made of a radio-friendly material. The GSM antennas are to be concealed within the top of the section of the structure and the equipment to be cabled to adjacent communications cabinets, all located within a gated compound. The development is to form part of Three Ireland's Ltd 2G voice, 3G and 4G network.
- 2.2. Focusplus Ltd has submitted details with the application including a Justification for the Proposed Development. They provide that the following documents were taken into consideration:

- Fingal County Development Plan 2017-2023
- The National Broadband Plan
- Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment
- Circular PL07/12 & Guidelines issued by the Department of Environment Community and Local Government

Drawings and Photomontages showing the existing and proposed have been submitted.

3.0 Planning Authority Decision

3.1. Decision

On the 9th of November 2017, Fingal County Council refused permission for the proposed development for the following two reasons:

1. The proposed development by reason of its scale, excessive height and bulk, siting, and prominent location within the streetscape would be visually incongruous, obtrusive and out of keeping with the pattern of development in the area. The proposed development would seriously injure the visual amenities of the area and of property in the vicinity.
2. The erection of a large advertising structure as part of the telecommunications structure would detract from the visual amenities of the area and would create an undesirable precedent for other similar structures within local centres, located predominantly in low rise residential areas, the proposed development would therefore be contrary to the proper planning and sustainable development of the area.

3.2. Planning Authority Reports

3.2.1. Planner's Report

The Planner had regard to the locational context of the site, planning history and policy and to the submissions made. They had regard to the rationale for the

proposed development and noted that there is a need to provide a satisfactory service level for Three within the Castlenock and Carpetstown areas. Having considered the proposal and the photomontages submitted they considered that while the principle of development to consolidate the network performance is acceptable that the proposed development would be overly prominent and have an unduly negative impact on the visual amenity of the local centre and the established residential area. They recommended that the proposed development be refused.

3.3. **Other Technical Reports**

Fingal County Council

Transportation Planning Section

They note the proposed development is to be located in the 50km/hr speed limit. They note some concerns about the visibility at the entrance but have no objections and recommend that it be conditioned that temporary advertising banners be removed from existing railings.

Water Services Section

They have no objections subject to conditions.

3.4. **Prescribed Bodies**

Irish Water

They have no objections subject to conditions.

3.5. **Third Party Observations**

3.5.1. Submissions received from local residents including Scoil Thomáis Parents Association include the following:

- Health and safety concerns need to be a material planning consideration.
- Adverse impact on proximate Scoil Thomáis, the surrounding residential area, church and community hall.

- An EIS should be included, considering the location proximate to residential and schools.
- Alternative sites including Castlenock train station, and co-location sites in Coolmine need to be analysed.
- In view of its height it will have a negative visual impact on this established residential area. The photomontages do not truly reflect this.
- Concerns regarding impact (including construction works) on access and public safety in the car parking area.
- There should have been community consultation.

4.0 Planning History

- 4.1.1. The Planner's Report notes that no planning applications have been found for the subject site. They note that there is one advertising structure on site and that it is unclear whether this structure is authorised. They refer to the following relevant to the Laurel Lodge Shopping Centre:

Reg.Ref.F07A/0070 – Permission refused by Fingal County Council for the construction of a slimline pole which was to extend 6 metres above roof level. The pole will have 3 no. 0.7 metre antennas, 1 no.0.3 metre dish and 1 no. 0.6 metre dish attached. Development was also to include installation of associate equipment, and cabinets at ground level, at Centra Laurel Lodge, Laurel Lodge Road, Castleknock. Their refusal was upheld and the proposal was subsequently refused by the Board (PL06F.222877 refers) for the following reason:

The guidelines relating to telecommunications antennae and support structures, which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996, identify the location of freestanding masts in the vicinity of schools and residences as a location of last resort. The Board is not satisfied, on the basis of the submissions made in connection with the planning application and the appeal, that an alternative, more suitable location is not available in the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

A copy of the Board's decision is included in the History Appendix of this Report.

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

Section 7.4 supports the provision of Information and Communication Technologies and includes regard to Telecommunications Antennae and Support Structures. This includes:

The advantages of a high quality ICT infrastructure must however be balanced against the need to safeguard the rural and urban environment. Visual impact must therefore be kept to a minimum with detailed consideration given to the siting and external appearance of the apparatus and to the scope for utilizing landscaping measures effectively. The Council will consider proposals for such infrastructure in the light of the recommendations of the guidelines issued.

Objectives IT05-1T08 refer.

Objective IT05 seeks to: *Provide the necessary telecommunications infrastructure throughout the County in accordance with the requirements of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities July 1996 except where they conflict with Circular Letter PL07/12 which shall take precedence, and any subsequent revisions or additional guidelines in this area.*

Objective IT07 seeks to: *Require best practice in siting and design in relation to the erection of communication antennae.*

Chapter 12 provides the Development Management Standards and this includes regard to Telecommunications Antennae and Support Structures. Objectives DMS143-145 are of note.

DMS143 seeks to: *Require the co-location of antennae on existing support structures and where this is not feasible require documentary evidence as to the non-availability of this option in proposals for new structures.*

DMS144 – seeks to avoid sensitive landscape locations.

DMS145- seeks to demonstrate compliance with the relevant Telecommunications Guidelines, has regard to the location including the issue of co-location/sharing and the telecommunications network. It also seeks to: *Demonstrate to what degree there is an impact on public safety, landscape, vistas and ecology* and to identify any mitigation measures.

Signage

Chapter 3 refers to Placemaking.

Objective PM27 seeks to: *Enhance the visual amenity of existing town and village centres, minimising unnecessary clutter, and provide guidance on public realm design, including wirescape, shopfront design, street furniture and signage.*

Chapter 12 includes reference to Signage. Objectives DMS11-15 refer.

Objective DMS11 seeks to: *Evaluate signage proposals in relation to the surroundings and features of the buildings and structures on which signs are to be displayed, the number and size of signs in the area (both existing and proposed) and the potential for the creation of undesirable visual clutter.*

DMS14 seeks to: *Resist new billboard and other large advertising structures and displays.*

5.2. **Circular Letter: PL07/12**

This circular is issued by the Minister under section 28 of the Planning and Development Acts 2000-2012 to update certain sections of the Telecommunications Antennae and Support Structures Guidelines (1996).

Section 2.3 does not advise the inclusion of separation distances in the Development Plan, rather flexibility on a case by case basis.

Section 2.6 includes: *Planning authorities should be primarily concerned with the appropriate location and design of telecommunications structures and do not have competence for health and safety matters in respect of telecommunications infrastructure. These are regulated by other codes and such matters should not be additionally regulated by the planning process.*

5.3. Natural Heritage Designations

None

6.0 The Appeal

6.1. Grounds of Appeal

A First Party Appeal on behalf of the applicants has been submitted by FocusPlus Ltd. Their grounds of appeal include the following:

- Three Ireland Ltd are seeking a location to provide mobile and broadband cover in the area. The area around Laurel Lodge which includes the shopping centre and the established residential is a known Blackspot for 3G and 4G indoor coverage. They include figures showing existing coverage and proposed improvements.
- There are no other telecommunications structures or commercial structures in the area that would meet Three Ireland's service provisions obligations.
- If permission is refused Three Ireland will lose essential coverage.
- Due to the nature of the land it would not be possible to secure an alternative site that satisfies the requirements of the Fingal CDP.
- They submit that the proposal represents an important component of strategic telecommunications infrastructure within Dublin and Ireland.
- They note the importance of co-location and provide that they have looked at alternative locations and provide details of these. This includes regard to Image 1 of their submission.
- They note that the signage will be used to advertise the services of the various retail uses and the existing tree line on Laurel Lodge Road provides enhanced screening.
- They provide details of photomontages, and conclude that while viewpoints exhibit some degree of visibility to varying degrees of prominence, none are considered to be detrimental to the overall amenity of the area.

- They consider that the proposal to be compliance with the objectives of the Fingal CDP.
- Telecommunications connectivity is now regarded as the fourth utility service, after water, electricity and gas. It is recognised as one of the most important criteria for attracting new businesses to the area.
- As more people work from home the demand for connectivity has increased. They also have regard to cloud services, underpinned by fast reliable broadband and note that school requirements for connectivity have increased.
- It is crucial that the area of Castlenock-Knockmaroon be provided with indoor 3G/4G broadband coverage.
- They conclude that it has been established that the proposed Shared Access Ltd facility will provide essential telecommunications coverage to the area and is strategically important in the services provided to the area, local community, business and education.
- They provide that the proposed development should be granted for reasons relative to Indoor 3G/4G Blackspot, no alternative locations, site sharing, commercial location and local need.
- Annex B of their appeal submission includes photographs showing Existing Totem Informational Signage, in other locations. Annex C includes Photomontage showing views of the existing and proposed.

6.2. Planning Authority Response

- 6.2.1. While they acknowledge the need for high quality communications and information technology networks a balance must be made to ensure a high quality of design of masts, towers and antennae and other such infrastructure in the interest of visual amenity and the protection of sensitive landscapes, subject to radio and engineering parameters; it remains their opinion that the shrouded totem structure as proposed is not an appropriate solution in the area.
- 6.2.2. They consider that the proposed structure will appear excessive and incongruous in this low-rise area, and refer to the Photomontage Views particularly views 1 and 5, presented in Annex C. Examples given in Appendix B are not comparable and are

more suited to large urban centres. Also, that it will create an undesirable precedent for similar type structures in other sensitive locations.

6.3. Observations

6.3.1. Three separate Observations have been received from local residents Frances Fay and Frances McGee and John Walsh, Local Representative, their concerns include the following:

Size and Scale of the Structure

- The First Party appeal addresses mainly the extent of mobile phone coverage in the area, but does nothing to address the legitimate objections by residents of challenge the grounds for the decision by the P.A.
- The appeal has very little regard for the proper planning and development of the area.
- The scale and height of the proposed structure is excessive and will have a considerable impact on the street context and the visual amenity of the area.
- The photographic views submitted do not truly reflect the height and visual impact of the finished structure.
- The proposed structure including the area of the base of the compound will impact on visibility at the adjacent pedestrian crossing.
- The inclusion of an advertising structure as part of the telecommunication tower is inappropriate and would detract from the visual amenities of the area.
- Scale, excessive height, prominent sting and the visual impact were the reasons for Fingal County Council refusing permission.
- Possible alternative locations or upgrading of existing proximate masts have not been examined.

Health

- Little regard has been shown for the possible future health implications for the local community in this densely populated suburban community.

- They note the details submitted relative to compliance with the IRPA and ICNIRP Guidelines, and consider that the fact that these documents are referred to gives grounds for concern for the health of the local community.
- This proposal does not comply with Fingal CDP objectives ‘to provide for and protect’ the local community.
- This proposal would give a greater consideration to a commercial development over the health, welfare and amenity of the local community.

7.0 Assessment

7.1. Principle of Development and Planning Policy

- 7.1.1. As shown on Map no.13 of the Fingal County Development Plan 2017-2023 the site within Laurel Lodge Shopping Centre is within the ‘LC’ Local Centre land use zoning where the objective seeks to: *Protect, provide for and/or improve local centre facilities*. It is located, in the suburban area proximate to a number of uses, zonings include ‘CI’ – Community Infrastructure land use zoning where the objective is to: *Provide for and protect civic, religious, community, education, health care and social infrastructure*. The land on the opposite side of the road is zoned as open space, and the site is also proximate to the ‘RS’ Residential zoning, where the objective is to: *Provide for residential development and protect and improve residential amenity*. There is a specific objective to provide a cycle/pedestrian route to the south of the site. It is of note that Telecommunications Structures are permitted in principle in Local Centre land use zoning. This is subject to appropriate siting and impact on visual amenities.
- 7.1.2. The applicants provide a Justification for the proposed development and provide that it is in line with the aims and objectives of the Fingal CDP 2017-2023, the National Broadband Strategy and the requirements of the Department of Communications, Energy and Natural Resources. They provide that this relates to the requirement for enhanced Telecommunications and Broadband Services nationally and roll-out locally. Also, that there are no nearby alternative structures to accommodate co-location. They provide that the proposed development is in accordance with the

relevant standards for such telecommunications equipment and that if permission is refused they will lose essential coverage in this 'black spot' area.

- 7.1.3. However, it is noted that the application was refused by the Council, relative to the visual impact rather than the need for high quality telecommunications. The presence and location of signage can have a major impact on the visual amenity of an area. Poorly positioned and overly dominant or unnecessary signage can reduce the overall visual quality of an area. It is noted that their reason for refusal considers that the proposal would in view of its scale, excessive height and bulk would seriously injure the visual amenities of the area and would set an undesirable precedent for this type of development. Regard is had to the issues raised including the justification for the proposal and the impact of the signage on the character and amenities of the area, further in this Assessment below.

7.2. Background and Justification for Proposal

- 7.2.1. Focusplus Ltd have submitted background details and a justification for the proposed development, on behalf of the applicant. This includes that the applicant, Shared Access Ltd, is an Irish based Infrastructure provider and is managed by a team with extensive expertise of the Communications Sector in Ireland and details are given of this. They seek to facilitate co-location for telecommunications equipment, and plan to add new development to support ongoing infrastructural requirements of the Telecommunications industry.
- 7.2.2. Regard is had to the site location within a Local Centre and that the neighbouring lands are zoned residential. They provide that the Radio Engineers required height to provide a signal over the surrounding area and as the site has the potential to become a shared facility, a 12m structure was selected. Figures are included to show existing and proposed 2G Coverage at Laurel Lodge Shopping Centre. These show an improvement from fair/good to excellent with the new equipment installed. Figures also show considerable improvements for 3G coverage.
- 7.2.3. An RF Technical Justification Report has been submitted to provide a technical justification for the proposed installation (radio base station) at Laurel Lodge Shopping Centre. This includes that the main driver for the new site in this location is to improve service to the large area of residential that surrounds the area which is

currently lacking in 2G,3G and 4G service. They provide that this is a blackspot location in need of improved coverage that will be provided by the proposed telecommunications structure.

- 7.2.4. The planned occupants are Three Ireland Ltd who are seeking a location to provide mobile and broadband cover in the area. The development is to form part of Three Ireland's 2G voice, 3G and 4G network. The site is proposed to improve the mobile voice and data coverage to the surrounding residential area and details are given of this. Included also are the adjacent retail and commercial outlets, all areas situated between the M50 to the south east and north of the main train line. They note that the rollout of 3G, 4G and broadband services by Three Ireland requires a greater number of telecommunications sites in order to meet licence coverage. They currently have a requirement in the Castlenock/Carpetstown area to improve existing coverage levels. They provide that this approach is in line with the Development Plan, State Guidelines and the proper planning and development of the area.
- 7.2.5. Having regard to the issue of co-location, they note that accommodation was proposed to Vodafone Ireland Ltd, and a letter has been included to state that they are supportive of this application and will be willing to install their equipment on the proposed structure, if permitted. Shared Access note that the proposed installation is purposefully designed to provide for co-location in an area where there are currently no existing structures. They prefer to site share on telecommunications structures, subject to providing sufficient antenna height and rigidity for effective radio propagation, thereby eliminating the need for an independent site.
- 7.2.6. It is noted that one of the most important criteria in attracting new business to an area is the level of communications services available. They have regard to the National Broadband Plan and to the Telecommunications Guidelines and planning policy and objectives as provided in the Fingal CDP and consider that the proposal will make a positive contribution to the area by enhancing the social and economic life of the local residential, civic and business communities through the provision of mobile and broadband services.

7.3. Alternative sites

- 7.3.1. There is concern from local residents, including the Observers that alternative sites including Castlenock train station, co-location on the existing telecommunication mast structure on the Carpetstown Road or in Coolmine etc would be more appropriate and have not been adequately investigated and considered.
- 7.3.2. The applicant's justification for the proposed development provides that while supportive of co-location and site sharing that due to the nature of the land it would not be possible to secure an alternative site that satisfies the requirements of the Fingal CDP. They submit that the proposed development represents an important component of strategic telecommunications infrastructure within Dublin and Ireland.
- 7.3.3. They note that existing masts and tall structures, in proximity to Laurel Lodge Shopping Centre were investigated to ensure that no potential site sharing opportunities were overlooked. The RF Technical Justification Report also has regard to a number of sites analysed, mostly located c.1km from the site and provide that it is considered impossible to achieve any practical degree of expansive coverage from other installations in the area. They note the importance of each base station to the overall network operations in the area and provide that the proposed installation will form part of an established network system that Three operates in the area and has been carefully chosen to ensure performance levels are maintained. They provide that, there are no other telecommunications structures or commercial structures in this area that would meet Three Ireland's service provisions obligations. Also, that if permission is refused Three Ireland will lose essential coverage in this area.

7.4. Regard to Design and Layout issues

- 7.4.1. The applicant seeks to install a 12m Shrouded Totem Structure carrying telecommunications equipment required in the provision of localised mobile and broadband services. The equipment is to be cabled to adjacent communications cabinets, all localised within a gated compound. The structure consists of a triangular section tower designed to be entirely clad with non-commercial informational signage panels made of radio-friendly material. The GSM antennas are to be concealed within the top of the section of the structure and the equipment is to be cabled to

adjacent communications cabinets, all located within a gated compound, proximate to the carpark and entrance to Laurel Lodge Shopping Centre.

- 7.4.2. It is provided that this innovative telecommunications structure is based on a design similar to that of a traditional antenna tower but is to be fitted with external cladding showing non-commercial directional signage for the local tenants at Laurel Lodge shopping centre. Also, that the layout of the development was designed to enhance the durability and function of the site while seeking to minimise the visual intrusion within the signage structure. The totem sign will provide a visual information feature in the area.
- 7.4.3. The compound is to be accessed via the existing Shopping Centre entrance onto Laurel Lodge Road. It is provided that the entrance to the compound will be used as few as two or three times annually – by the Operators accessing their equipment.

7.5. Visibility at Access issues

- 7.5.1. There are concerns raised by local residents that while there are plans for a 2m fence surrounding the proposed development, that the proposal will impact on parking spaces and public safety in the already congested Laurel Shopping Centre car park area. Further, the impact of construction phase on the access to the car park, has not been addressed also, considering its busy location adjacent to the school, community centre and the church.
- 7.5.2. Also, that the proposed structure including the enclosing timber sheeted compound at its base measuring 2.8 m wide by 3.0m deep is located immediately adjacent to the pedestrian crossing on the main Laurel Lodge Road. This pedestrian crossing gives access to the community facilities in the area including the school and there are concerns this proposal would restrict visibility for both pedestrians and drivers.
- 7.5.3. The Council's Transportation Planning Section note that the development would be accessed from the Laurel Lodge Shopping Centre car park. They note that pedestrian visibility at the back of the public footpath adjacent to the existing railing at the existing point of the car park and structure is currently being blocked by temporary advertising banners attached to the existing railing. While they do not object to the proposed development they recommend that a condition be included that temporary advertising banners be removed from the existing railings. If the

Board decide to permit it is recommended that such a condition be included, along with a condition to provide for external illumination only, to ensure that the sign is not internally illuminated as this would make it more visually obtrusive.

7.6. Impact on the Character and Amenities of the area

- 7.6.1. The existing advertising sign for Laurel Lodge Shopping Centre is 6.3m in height. The new replacement shrouded totem structure will be 12m in height and therefore be almost twice the height of the existing structure. The applicants have submitted photomontages showing existing and proposed views. They provide that the proposal will be considerably less intrusive than a mast – image 3 of the information submitted refers. The photomontages are taken from a number of vantage points. While, viewpoints exhibit some degree of visibility to varying degrees of prominence, especially from Laurel Lodge Road eg. V1 and V5, it is provided that none are considered to be detrimental to the overall amenity of the area. However, having regard to the photomontages showing the existing and proposed I would consider that the proposed sign will be considerably more visually dominant than the existing.
- 7.6.2. The First Party provide that given that one sign is to be used to advertise the services of various retail uses in the shopping centre that this will minimise potential sign proliferation and visual clutter. As shown on the drawings a three sided triangular sign will replace the lower two-sided freestanding sign. The Observers are concerned that in view of its considerably increased height and bulk that this considerably larger sign will have a negative impact on the visual amenities of this established low profile suburban area. Also, that the photomontages do not fully reflect this impact or the prominence of the location. In this respect it is noted that the photomontages have been prepared when the trees are in leaf, and during the winter months and as seen at the time of the site visit in March, the proposal would appear more visible. In any event the sign will be higher than the trees and will be very visible and dominant in the street scape especially in views from Laurel Lodge Road, the pedestrian crossing and the housing opposite the Local Centre.

7.7. Regard to Precedent

- 7.7.1. The Council's second reason for refusal refers to undesirable precedent. There is concern that the suggestion is that the signage will conceal the mast, and that the advertising hoarding should not be seen as a solution for the visual impact, for telecommunications equipment and that this would set an undesirable precedent for this type of large scale structure including at other such Local Centres. The First Party include photographs of existing higher totem informational signage as seen on other sites, some of which relate to larger retail areas such as the Blanchardstown Shopping Centre. It is not provided as to whether this signage also contains telecommunications equipment. It is noted that each proposal is considered on its merits including having regard to locational context. The subject site is located in a relatively small and low key 'Local Centre' in a low-profile area, defined by two storey commercial in the centre and two storey residential and single/two storey community/educational facilities. It is considered that the scale, and height of the proposed development would not be in character with the established area and would appear overly visually obtrusive and be excessive for this location.

7.8. Regard to Health concerns

- 7.8.1. Concerns have been raised regarding the impact of the proposed development that includes telecommunications equipment on public health, and the lack of scientific evidence to prove that this is not the case. This is particularly in relation to the proximity to the residential area and to the nearby Scoil Thomáis National School, Community Centre, Church and Scope to Grow Creche. Also, that the submission states that the Installation is designed to be in full compliance with the IRPA and International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines and reference has been made to these Guidelines.
- 7.8.2. A Synopsis Report has been submitted with the application i.e. 'A report on mobile phone base situations and health'. This concludes that Eircell telecommunications base stations operate well within the guidelines set out by various regulatory bodies. A letter has been submitted to confirm that Hutchinson 3G proposed base station at Laurel Lodge Shopping Centre only utilises the frequency bands as licenced by Comreg and causes no risk to external interference to other licenced frequency band

usage. They provide that all H3G base stations also comply with the ICNIRP Guidelines as per the limits specified. This provides that the mobile Telecoms industry is heavily standardised and policed to ensure that operators always operate within the safety limits and tolerances defined by the regulator. The communications regulator in Ireland does random testing of sites throughout Ireland to ensure that all Base Stations are transmitting below the limits defined by the ICNIRP. Therefore as noted in Circular Letter: PL07/12 above while, the concerns raised in the submissions and by the Observers are noted this issue is not within the remit of the Board and is dealt with more appropriately under separate remit.

7.9. Other issues

7.9.1. In the event that the Board decide to grant permission the Council requested that a contribution in accordance with the Council's Section 48 Development Contribution be applied. It is noted that telecommunications i.e. *(f) the provision of high capacity telecommunications infrastructure such as broadband* are included in Section 5 relative to Definitions of public infrastructure and facilities under Section 48 of the Planning and Development Act 2000, as amended. However, Section 10 of the Scheme provides for Exemptions and Reductions and includes *(g) Broadband infrastructure (masts & Antennae)* and *(l) Signage...antennae structures etc.* Therefore, it would appear that it would not be in accordance with the Scheme for the Board to include such a condition.

7.10. Screening for Appropriate Assessment

7.10.1. Having regard to the minor nature of the proposed development and its location in a serviced suburban area, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

8.1. I recommend that planning permission be refused for the reasons and considerations below.

9.0 Reasons and Considerations

1. The proposed 12 metre shrouded Totem structure carrying telecommunications equipment required in the provision of localised mobile and broadband services, would by reason of its excessive scale and height provide an overly visually dominant and obtrusive structure in this prominent corner location that would detract from and not enhance the visual character of this low profile Local Centre and proximate residential area. As such it would set an undesirable precedent and be contrary to Objectives PM27 and DMS14 of the Fingal County Development Plan 2017-2023, which seek to enhance the character of the area and to resist large advertising structures and displays. It would therefore be contrary to the proper planning and sustainable development of the area.

Angela Brereton
Planning Inspector

27th of March 2018