



An
Bord
Pleanála

Inspector's Report

ABP-310019-21

Development	Retention permission is sought for all ground-mounted and pole-mounted telecommunications equipment.
Location	ESB Telecoms' Compound within ESBs Loughshinny 38kV Substation, Featherbed Lane, Ballykea, Loughshinny, Skerries, Co Dublin.
Planning Authority	Fingal County Council
Planning Authority Reg. Ref.	F21A/0050
Applicant(s)	ESB Telecoms Limited.
Type of Application	Planning Permission.
Planning Authority Decision	Grant Permission.
Type of Appeal	Third Party
Appellant(s)	Noel Jordan.
Observer(s)	Clare Daly, (MEP).
Date of Site Inspection	31 st August 2021.

Inspector

Elaine Sullivan

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1.0 Site Location and Description

- 1.1. The subject site has a stated area of 0.0065ha and is located on the northern side of the L1285, Loughshinny to Baldungan road, which is also known as Featherbed Lane. The site is approximately 310m to the west of the junction (Loughshinny Cross) of this local road and the Skerries to Rush Road, R128. Skerries village is approximately 3.5 km to the north and Rush is 3 km to the south east. It is located to the east of the Loughshinny 38kV ESB Substation and associated compound.
- 1.2. The site currently comprises telecommunications infrastructure in the form of a 20m monopole and antennae with a number of ground-mounted cabinets and supporting infrastructure. Directly to the south of the site, development is underway to construct a single storey 'cable landing station' in a modular building of 81sqm, which was permitted under ABP-306677/20, (PA Ref. F19A/0169). On the occasion of the site visit the base of the building was in place.
- 1.3. Lands to the north south and west of the site are predominantly rural in nature with open fields and dispersed housing along the roadside. To the east of the site, the roadside frontage is substantially developed with detached houses on individual sites, with the Bartra Loughshinny Residential Nursing Home to the south-east of the site. Directly adjoining the site to the east, is a detached house with the residential development of Baldungan Close beyond that again.

2.0 Proposed Development

- 2.1. Planning permission is sought to retain the following telecommunications and electrical infrastructure:

All ground-mounted equipment including,

- 2 x operator equipment cabinets,
- 1 x multimeter box,
- Concrete plinths for cabinets,
- 2 x mini pillars,
- 2 x Cable trays and support poles.

All pole-mounted equipment including;

- 6 x antennae, (3 x 2.5m antennae & 3 x 2m antennae),
- 9 x Radio Remote Units (RRU's),
- Dishes and equipment including antennae support poles,
- Cable trays and support poles and,
- The lightening filial on top of the mast.

3.0 Planning Authority Decision

3.1. Decision

Planning permission was granted by the Planning Authority to retain all equipment on the site subject to 4 planning conditions, which are standard in nature.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the Planning Officer dated the 26th March 2021 informed the decision of the PA and includes the following;

- Telecommunications structures are not listed as a use class in the RU zoning for the site. Accordingly, the proposed development is assessed against the zoning objective and vision for the RU zoning.
- Regarding the nature and scale of the structures, the proposed development is considered to comply with the RU zoning for the site.
- The strategic importance of the structure at this location has been demonstrated and it is considered to comply with Objective IT01 of the Development Plan.
- The PO does not anticipate any undue impacts on either the visual amenity of the adjoining area/landscape or the residential amenities of the area.

3.2.2. Other Technical Reports

- Transportation Planning – The development will utilise an existing access to the compound and the use will not be intensified. Sightlines from the entrance are impeded by the overgrown boundary hedgerow. Works to cut back the hedgerow should be carried out as part of the proposed development.
- Water Services Section – No objection.
- Environment Department – The development falls below the threshold for a C & D waste management plan to be applied.

3.3. Prescribed Bodies

- Irish Water – No objection.

3.4. Third Party Observations

6 objections / submissions were received by the PA. They included submissions from Clare Daly MP and Councillor Tony Murphy. The issues raised included are listed below.

- Procedural issues regarding previous planning applications.
- Impacts on the amenity and value of adjoining properties as a result of the development.
- Visual impact in the rural area.
- Public safety.
- Compliance with the International Commission on Non-Ionizing Radiation Protection guidelines, (ICNIRP Guidelines).
- Environmental impacts of the proposal.

4.0 Planning History

ABP – 306677/20, (PA Ref. F19A/0169) – Planning permission refused by the PA and granted by An Bord Pleanála on the 30th July 2020 for the development of a

single storey cable landing station, together with associated cabling, plant and ancillary works, enclosed within a palisade fenced compound.

FS006915 refers to an application for a Foreshore Licence made to the Minister of Housing, Planning and Local Government, for a fibre-optic telecommunications cable landing at Loughshinny Co. Dublin.

ENF 18/237A – Enforcement file opened for the site and closed on the 13th September 2018.

PA Ref. F17A/0691 – Planning permission granted by the PA on the 11th January 2018 for a 20m high monopole communications structure with associated antennae and dishes. Development also includes associated ground mounted equipment and the provision of a 2.4 m high palisade fenced compound.

PL 06F.222250, (PA Ref. F06A/1888) - Planning permission refused by the PA and refused by ABP on the 11th July 2007 for the erection of a 20m high free standing wooden pole communications structure carry antennae and communication dishes, with associated ground-mounted equipment cabinets within a 2.4m high palisade compound, to share with other licensed operators. The reason for refusal states the following,

Having regard to the location of the proposed development within seven meters of a residential property, it is considered that the proposed development would seriously injure the residential amenities and depreciate the value of the adjacent property 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 Board concurred with the planning authority that the proposed development was unacceptably close to a residential property.

5.0 Policy Context

5.1. Fingal County Development Plan 2017-2023

Under the Fingal Development Plan 2017 – 2023, the site is zoned 'RU' Rural, and which seeks to 'Protect and promote in a balanced way, the development of

agriculture and rural related enterprise, biodiversity, the rural landscape, and the built and cultural heritage'. 'Utility Installation' is included in the 'Permitted in Principle' category of this zoning objective.

'Green Infrastructure 1 – Sheet 14' indicates that the site is within an area designated as a 'Highly Sensitive Landscape'.

The following sections of the Fingal Development Plan 2017 – 2023 are considered to be relevant:

Chapter 7 – Movement and Infrastructure

Objective IT01: 'Promote and facilitate the sustainable delivery of a high quality ICT infrastructure network throughout the County taking account of the need to protect the countryside and the urban environment together with seeking to achieve balanced social and economic development'.

Objective IT05: 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.

Chapter 9 – Natural Heritage

Objective NH15: 'Strictly protect areas designated or proposed to be designated as Natura 2000 sites (i.e. Special Areas of Conservation (SACs) and Special Protection Areas (SPAs); also known as European sites) including any areas that may be proposed for designation or designated during the period of this Plan'.

Objective NH37: 'Ensure that new development meets high standards of siting and design'.

5.2. National Guidelines

5.2.1. National Planning Framework – Project Ireland 2040

Objective 24 – 'Support and facilitate delivery of the National Broadband Plan as a means of developing further opportunities for enterprise, employment, education, innovation and skills development for those who live and work in rural areas.'

Objective 48 – ‘In co-operation with relevant Departments in Northern Ireland, develop a stable, innovative and secure digital communications and services infrastructure on an all-island basis.’

5.2.2. **Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996)**

The guidelines aim to provide a modern mobile telephone system as part of national development infrastructure, whilst minimising environmental impact. Amongst other things, the Guidelines advocate sharing of installations to reduce visual impact on the landscape.

4.3 – Visual Impact - The guidelines note that visual impact is one of the more important considerations which have to be taken into account and also that some masts will remain quite noticeable in spite of the best precautions.

4.5 – Sharing Facilities and Clustering – Applicants will be encouraged to share facilities and to allow clustering of services and will have to satisfy the Planning Authority that they have made a reasonable effort to share.

5.2.3. **DoECLG Circular Letter PL07/12**

This Circular was issued to Planning Authorities in 2012 and updated some of the sections of the above Guidelines including ceasing the practice of limiting the life of the permission by attaching a planning condition.

It also reiterates the advice in the 1996 Guidelines that planning authorities should not determine planning applications on health grounds and states that, *‘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**

No designations apply to the subject site.

5.4. EIA Screening

- 5.4.1. An Environmental Impact Assessment Screening report was not submitted with the application. The proposed development is not listed in either Part 1 or Part 2 of Schedule 5, Planning and Development Regulations 2001 (as amended), which sets out the types and thresholds of development that requires a mandatory EIA. The proposal has also been assessed against the criteria outlined in Schedule 7 of the Planning and Development Regulations 2001 (as amended). and the provisions of Article 109, (3) of the Regulations. do not apply to the site and it has and does not warrant an EIA based on the criteria listed.
- 5.4.2. Under the provisions of Article 109, (3) of the Regulations, it is noted that the site is not located within a European site, is not designated for the protection of the landscape or of natural or cultural heritage and the proposed development is not likely to have a significant effect on any European Site as discussed below.
- 5.4.3. The proposed development is minor in nature and scale and not require any ground works or significant construction. I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment and that on preliminary examination an environmental impact assessment report for the proposed development was not necessary in this case. (See Preliminary Examination EIAR Screening Form).

6.0 The Appeal

6.1. Grounds of Appeal

The main grounds of appeal are summarised below / can be summarised as follows;

- The proposed development would have a negative impact on property values. Extracts from a number of reference studies and mortgage approval documents are included to support this argument. Previous planning decisions, (PL 06F.222250 & PA Ref. F06A/1888), both referenced the depreciation of the value of property as a reason for refusal.
- The proposed development does not comply with ICNIRP Guidelines and Health and Safety guidance as outlined in 'SAGE – Safety & Training, Rooftop

& Radio Frequency Safety Awareness'. The ridgeline of the cottage, which is 7m from the mast, is dangerously close to the lower level of the exclusion zone whereby any work to be carried out on the roof could expose workmen to levels of radiation above the ICNIRP guidelines.

- The reinforced concrete strengthening structure to the base of the monopole is unauthorised development. As such, all development supported by the structure is also unauthorised. Reference is made to previous Board decisions on unrelated sites, Ref. PL29N.RL2271 & RL.2384.
- Unauthorised development occurred on the initial fitting out of the mast approved under F17A/0691 and relate to the number and positioning of the antennae on the mast. A High Court case has been commenced by residents to have the unauthorised development removed.
- Screening for Appropriate Assessment is required for the application. In their screening exercise, the PA did not consider the impact of the pulsed telephony microwave radiation from the site on the conservation objectives of the Natura 2000 sites.
- An EIAR was required for the proposed development under F17A/0691 and subsequently for the subject application as the monopole contains toxins and has a hydrological link between the mast site and the coast.
- The application is not in accordance with Government guidance as set out in the document, 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, July 1996' in terms of justifying the subject site and providing a full visual assessment.
- It is the opinion of the residents that the telecommunications mast with the abundance of affixed equipment in proximity to residential development presents an inappropriate juxtaposition of land uses and has an adverse and overbearing impact on existing residential amenity.
- The public health implications of living in close proximity to telecommunications infrastructure.

6.2. Applicant Response

A response from the Applicant was received on the 21st May 2021 and responds to the grounds of appeal as follows,

- The applicant notes that the development proposed for retention relates to the erection, installation and relocation of equipment and structures authorised under, or ancillary to, development carried out pursuant or ancillary to development carried out under F17A/0691. Some elements of this development are exempt from planning permission under Class 31 of Part 1, Schedule 2 of the Planning and Development Regulations 2001, as amended.
- The development proposed to be retained is not development prescribed in either Part 1 or Part 2 of Schedule 5 of the Regulations and is not 'sub-threshold' development as defined in the Regulations. Accordingly, the provisions of article 109(2) of the Regulations do not apply to this appeal and an EIAR is not required.
- As the competent authority, the PA carried out an Appropriate Assessment screening during its assessment of the application and it was determined that there was no possibility of any significant effects on any European sites either on its own or in combination with any other plans or projects. Where the provisions of Section 34(12) of the Planning and Development Act apply to the Board's consideration of this appeal the Board should decide whether or not, the proposed development would have required an Appropriate Assessment prior to commencement.
- In the interests of clarity, the telecommunications tower and compound are not related in any material way to the cable landing station development permitted under ABP-306677-20, (PA Ref. F19A/0169). The only potential inter-relationship is that the telecoms tower and compound may, in time, share existing fibre services in the area with the landing station.
- With regard to the Health and Safety issues relating to mobile communications, the communications regulator, Comreg, is the competent authority. All equipment allowed on ESBT structures have been approved and certified by the statutory licensing agency. ESB undertakes regular RF

emissions tests as part of site maintenance schedules, the most recent of which was carried out on the site on the 11th February 2020, (results provided in submission).

- An error was made on the site when implementing a previous permission, Ref. F17A/06091, and the monopole was erected 6 metres northwest of the location identified in the planning application documentation. This error was rectified to the satisfaction of Fingal County Council, (correspondence enclosed).
- The application for retention permission is made for the sake of completeness and without prejudice to ESB Telecoms' position that aspects of the development are and remain exempt development.
- ESB consider the following elements represent exempt development;
 - Antennae and Remote Radio Units, (RRU's) – exempt under Class 31(h), which was amended in 2018.
 - Cable support trays – exempt under Class 31(b) as they support structures carrying overhead cables from the cabinets to the monopole.
 - Ground mounted equipment cabinets – exempt under Class 31(f).
 - Mini-pillars that provide electricity supply to on-site customers, (Eir Mobile and Three Ireland) are exempt under Class 26.

6.3. Planning Authority Response

A response was received from the PA on the 24th May 2021 and includes the following,

- Having assessed the appeal submission the PA are of the opinion that retention permission for the proposal should be granted.
- The PA accepts the justification and requirement for the proposal at this established ESB compound and considers that the development to be retained does not unduly impact on the amenity of the surrounding area or of the neighbouring property.

6.4. Observations

One observation was submitted by Clare Daly Member of the European Parliament and includes the following,

- Concerns were raised by constituents regarding the untransparent way in which the development had been pursued. Representations were also made that concerns were not adequately taken into account by Fingal County Council.
- It is the view of local residents that the equipment for which retention is sought is part of a wider project which is part of the transatlantic infrastructure project called the North Atlantic Loop. Parts of this project which traverse the Rockabill to Dalkey Island SAC. Therefore, the whole project has environmental considerations.

7.0 Assessment

7.1. The main issues that arise for assessment in relation to the appeal can be addressed under the following headings:

- Scope of the Appeal
- Principle of Development
- Design & Visual Impact
- Appropriate Assessment

7.2. Scope of the Appeal

7.2.1. The grounds of appeal include concerns regarding public health and the safety of the telecommunications infrastructure and equipment. I note that the issue of health and safety is not within the remit of the Board and as such will not form part of this appeal. Government guidance contained in the Telecommunications and Support Structures guidelines 1996 and Circular Letter PL07/12, state that Planning Authorities and An Bord Pleanála should be primarily concerned with the appropriate

location and design of telecommunications structures and do not have the competence for health and safety matters in this regard.

- 7.2.2. An in-depth analysis of the planning history to the site including the commentary and justification for past decisions are also included in the grounds of appeal. I note that these decisions have been subject to the full planning process and it is not my intention to review or revisit past planning decisions.
- 7.2.3. Having reviewed the documentation submitted and visited the site, I am satisfied that the proposed development does not form part of a wider infrastructure project with hydrological connections. The scope of this appeal relates specifically to the planning issues relating to the subject application only.
- 7.2.4. Any alleged unauthorised development should be addressed by the Planning Authority under Part 8 of the Planning and Development Act as amended and is not within the remit of this appeal or within the functions of the Board.

7.3. Principle of Development

- 7.3.1. The proposed development is for the retention of ground mounted and pole mounted telecommunications infrastructure and equipment for electricity supply. The 'RU' rural zoning permits in principle the development of utility installations and I would consider that the proposal is in accordance with this description.
- 7.3.2. I note that the principle of development has already been established on the site through a number of previous planning applications, which permitted utility and telecommunications infrastructure. Of particular note to this appeal is PA Ref. F17A/0691, which permitted a 20m high monopole telecommunications structure with associated antennae and dishes and associated ground mounted equipment. The proposed development is for infrastructure additional to that previously permitted.

7.4. Design & Visual Impact

- 7.4.1. The monopole structure was authorised under PA Ref. F17A/0691, which also permitted equipment to be fixed to the pole comprising, 6 x 1.5m antennae, positioned in clusters of 3 in two locations and separated by 1 x 0.6m dish and 2 x

0.3m dishes. The proposed development is for alterations to the location and size of this equipment and seeks permission for 3 x 2m and 3 x 2.5m antennae with 9 x Radio Remote Units (RRU's). The proposed equipment is located closer to the top of the monopole with all 6 antennae positioned in two clusters of 3.

- 7.4.2. The subject site is located on a rural road on the outskirts of Loughshinny. On the approach to the site from the west, the lands are rural in nature with some dispersed housing and agricultural buildings. Directly to the east of the site the pattern of development changes and the lands along the roadside are substantially developed with rural housing and community facilities. Although the site is zoned RU, I do not consider it to be rural in nature. It is located on the edge of a settlement that is characterised by ribbon development and is part of a larger industrial-type compound which houses an ESB substation and associated infrastructure. There are also a number of electricity pylons and telegraph poles which traverse the fields to the north and south of the site. These further compound the industrial appearance of the site, particularly when viewed on the approach from the west.
- 7.4.3. The visual impact of the monopole structure has been assessed under PA Ref. F17A/0691 and the structure does not form part of this appeal. In considering the overall impact of the proposal in visual terms the impact of the additional infrastructure will be assessed. I note that the subject site is designated as a 'Highly Sensitive Landscape' within the Development Plan. However, given the pattern of development and the context of the site, I do not consider the subject site or the immediate landscape to be highly sensitive.
- 7.4.4. Whilst the infrastructure on top of the pole is clearly visible from the public road and from adjoining properties, it is not out of character with the infrastructure surrounding the site which includes the telegraph poles and electricity pylons. All of the pole mounted equipment is light in colour which helps to blend with the skyline and the scale of the equipment does not dominate the surrounding environment. Given the surrounding context of the site, the additional equipment to the top of the monopole is not visually incongruous.
- 7.4.5. I am satisfied that the development proposed to the top of the monopole would not result in any significant additional visual impact on the surrounding environment or on the existing residential development. The ground mounted infrastructure is small

in scale and do not have any significant impact on the visual amenity of the site and the surrounding development.

- 7.4.6. The equipment is justified on the basis that it is necessary to maintain 2G & 3G voice and data and 4G data services to the residential and business subscribers in the immediate area and up to a 10km radius. The mast also allows for co-location with two mobile operators currently utilising the existing site. I am satisfied that the proposal is in accordance with the Telecommunications Guidelines, which promote the sharing of facilities, and also with Objective IT01 of the Fingal Development Plan which seeks to provide a high-quality ICT infrastructure network throughout the County in order to help achieve balanced social and economic development.
- 7.4.7. I note the concerns raised in the grounds of appeal in respect to the devaluation of neighbouring property. However, having regard to the assessment and conclusion set out above, I am satisfied that the proposed development would not seriously injure the amenities of the area to such an extent that would adversely affect the value of property in the vicinity.

7.5. **Appropriate Assessment**

- 7.5.1. A Stage 1 Screening report does not accompany the application. In accordance with obligations under the Habitats Directives and implementing legislation, to take into consideration the possible effects a project may have, either on its own or in combination with other plans and projects, on a Natura 2000 site; there is a requirement on the Board, as the competent authority in this case, to consider the possible nature conservation implications of the proposed development on the Natura 2000 network, before making a decision, by carrying out appropriate assessment. The first stage of assessment is screening.
- 7.5.2. The proposed development is for a number of ground mounted and pole mounted telecommunications infrastructure and associated electricity infrastructure. The development site is within an established utility compound and does not require any ground works, new access roads or water connections.
- 7.5.3. The project is not directly connected with or necessary to the management of a European Site and therefore it needs to be determined if the development is likely to

have significant effects on a European site(s). The proposed development is examined in relation to any possible interaction with European sites designated Special Conservation Areas (SAC) and Special Protection Areas (SPA) to assess whether it may give rise to significant effects on any European Site in view of the conservation objectives of those sites.

- 7.5.4. The closest European sites are the Rogerstown Estuary SPA & SAC, (Ref. 004015 & 000208), which are approximately 3.45km to the south of the site; the Rockabill to Dalkey Island SAC, (Ref. 003000), which is approximately 2.5km to the east of the site and the Skerries Island SPA, (Ref. 004122), which is approximately 2.5km to the north east of the site. The qualifying interests and conservation objectives are outlined below.

Rogerstown Estuary SPA	
Ref. IE004015	
Distance from site; c. 3.45km to the south.	
Qualifying Interests	<p>Greylag Goose (<i>Anser anser</i>) [A043]</p> <p>Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046]</p> <p>Shelduck (<i>Tadorna tadorna</i>) [A048]</p> <p>Shoveler (<i>Anas clypeata</i>) [A056]</p> <p>Oystercatcher (<i>Haematopus ostralegus</i>) [A130]</p> <p>Ringed Plover (<i>Charadrius hiaticula</i>) [A137]</p> <p>Grey Plover (<i>Pluvialis squatarola</i>) [A141]</p> <p>Knot (<i>Calidris canutus</i>) [A143]</p> <p>Dunlin (<i>Calidris alpina</i>) [A149]</p> <p>Black-tailed Godwit (<i>Limosa limosa</i>) [A156]</p> <p>Redshank (<i>Tringa totanus</i>) [A162]</p> <p>Wetland and Waterbirds [A999]</p>
Conservation Objectives	To maintain the favourable conservation condition of the Greylag Goose, Light-Bellied Brent Goose, Shelduck, Shoveler, Oystercatcher, Ringed Plover, Grey Plover, Knot, Dunlin, Black-tailed Goodwit, Redshank and wetland habitat.
Rogerstown Estuary SAC	
Ref. IE000208	
Distance from Site; c. 3.45km to the south.	

Qualifying Interests	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) [1330] Mediterranean salt meadows (<i>Juncetalia maritimi</i>) [1410] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130]
Conservation Objectives	To maintain the favourable conservation condition of the Estuaries, Mudflats & sandflats not covered by seawater at low tide; of Salicornia & other annuals colonizing mud and sand, if the Atlantic Salt Meadows, Mediterranean salt meadows, shifting dunes and fixed coastal dunes in Rogerstown Estuary.
Rockabill to Dalkey Island SAC Ref. IE003000	
Distance from Site; c. 2.5km to the east.	
Qualifying Interests	Reefs [1170] Phocoena phocoena (Harbour Porpoise) [1351]
Conservation Objectives	To maintain the favourable conservation condition of Reefs and the Harbour Porpoise in Rockabill to Dalkey Island SAC.
Skerries Island SPA Ref. IE004122	
Distance from Site; c. 2.5km to the north-east.	
Qualifying Interests	Cormorant (<i>Phalacrocorax carbo</i>) [A017] Shag (<i>Phalacrocorax aristotelis</i>) [A018] Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) [A046] Purple Sandpiper (<i>Calidris maritima</i>) [A148] Turnstone (<i>Arenaria interpres</i>) [A169] Herring Gull (<i>Larus argentatus</i>) [A184]
Conservation Objectives	To maintain or restore the favourable conservation status of habitats and species of community interest.

- 7.32.1. There is no direct hydrological connection to these sites and overland they are at some remove from the designated sites. I note that the wider development site has been subject to a number of recent planning applications, most recently ABP-306677/20, (PA Ref. F19A/0169) and PA Ref. F17A/0691. All of the relevant information has been reviewed and it is evident that the proposed development would not be likely to have significant effects on any European site, either individually or in combination with any other plan or project.
- 7.32.2. Having reviewed the documents and submissions and having regard to the nature and scale of the proposed development and the location of the site in a developed utility compound with no direct or indirect connection via a pathway to a European site, I am satisfied that Appropriate Assessment issues arise and it is not considered that the 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 granted.

9.0 Reasons and Considerations

- 9.1. Having regard to the nature and scale of the proposed development for ground-mounted and pole-mounted telecommunications and ancillary infrastructure, the proposed development would be in accordance with the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities 1996 and with the policies and objectives of the Fingal County Development Plan 2017-2023, and the RU zoning for the site, and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	<p>The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on the 3rd of February 2021, 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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
3.	<p>The front boundary hedgerow shall be trimmed back to the fence line and the hedgerow to be augmented where gaps have arisen, to improve site screening.</p> <p>Reason: In the interests of visual amenity and in the interest of sustainable transport provision.</p>

Elaine Sullivan
Planning Inspector

21st October 2021