



## Inspector's Report

**ACP-323027-25**

<b>Development</b>	Section 254: Streetpole solution to address identified mobile and mobile broadband coverage blackspots.
<b>Location</b>	Public Grass Verge, Swords Road, ITM E 720796.364 N 745853.7, Malahide, Co Dublin
<b>Planning Authority</b>	Fingal County Council
<b>Planning Authority Reg. Ref.</b>	S254/03/24
<b>Applicant(s)</b>	Signal Infrastructure Limited.
<b>Type of Application</b>	S254 Licence
<b>Planning Authority Decision</b>	Grant Permission
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	Kevin & Deirdre Connolly & Others
<b>Observer(s)</b>	1. Carmel Cox 2. David Worrell & Deborah McCabe
<b>Date of Site Inspection</b>	15/01/2026
<b>Inspector</b>	Darragh Ryan

## 1.0 Site Location and Description

- 1.1. The site is located on the north side of Swords Road (R106) in Yellow Walls, Malahide. The proposed site is on public grass verge south of the boundary wall of Kileen Court. The area generally is classified as residential.
- 1.2. There is a footpath separated by a treeline and grass verge from the public road. The site is located on un-zoned lands designated as RD-Road and adjoins the R106 (Swords Road). The Swords road is designated as a Secondary Route in the NTAs Greater Dublin Area Cycle Network Plan.
- 1.3. The street pole is currently erected and operational

## 2.0 Proposed Development

- 2.1. The proposed development is for the erection and operation of an 18m tall Alpha 3.0 streetpole with 1 no.3.6m AWT"-3836 Alpha Antenna at azimuths TBD0& 300mm dish with 1 outdoor cabinet 1.64m tall X 1.8m length and 0.79m in depth)

## 3.0 Planning Authority Decision

The Planning Authority issued a Decision to a grant a licence on the 4<sup>th</sup> of September subject to 8 standard conditions. The conditions are standard in nature and relate to construction and management and ongoing maintenance.

### 3.1. Planning Authority Reports

- 3.1.1. There is a single Planning Report on file
  - The planning authority accepted the principle of development at this location.
  - An assessment of applicants submission in relation to the need for the development at this location was undertaken along with an examination of alternative sites. The planning authority accepted the applicants submission in relation for the requirement for the development at this location.
  - The planning authority were also satisfied with alternative sites that were assessed by the applicant

- Roads and Transportation report noted – the R106 is identified in the NTA’s Greater Dublin Area Cycle Network Plan – the road and adjacent public footpath will likely be subject to future upgrades. A condition recommended in this regard.
- No issues with respect to drainage.
- The visual impact assessment is considered adequate. The level of visual impact not considered excessive in the context of an sub-urban environment

### 3.1.2. Other Technical Reports

- Parks and Green Infrastructure – no objection.
- Transportation Planning Section – no objection subject to conditions.
- Water Services – no objection to the development

### 3.2. Prescribed Bodies

- None

### 4.0 Planning History

- None

### 5.0 Policy Context

#### 5.1. Planning Authorities on Telecommunications Antennae and Support Structures issued (1996)

- 5.1.1. The ‘Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures’ (1996) set out government policy for the assessment of proposed new telecommunications structures (‘the 1996 Guidelines’). The Guidelines state that the rapid expansion of mobile telephone services in Ireland has required the construction of base station towers in urban and rural areas across the country. This is an essential feature of all modern telecommunications networks. In many suburban situations, because of the low rise nature of buildings and structures, a supporting mast or tower is needed.

- 5.1.2. Section 4.3 of the Guidelines refers to visual impact and states that only as a last resort, and if there no viable alternatives, should free-standing masts be located in a residential area or beside schools. If such locations should become necessary, sites already developed for utilities should be considered, and masts and antennae should be designed and adapted for the specific location.
- 5.1.3. The support structure should be kept to the minimum height consistent with effective operation. The Guidelines also state that visual impact is among the more important considerations that should be considered assessing a particular application. In most cases, the Applicant will only have limited flexibility as regards location, given the constraints arising from radio planning parameters, etc. Visual impact will, by definition, vary with the general context of the proposed development.
- 5.1.4. The Guidelines state that the approach will vary depending on whether a proposed development is in:
- a rural/agricultural area;
  - an upland/hilly, mountainous area;
  - a smaller settlement/village;
  - an industrial area/industrially zoned land; or
  - a suburban area of a larger town or city.
- 5.1.5. The Guidelines state that some masts will remain quite noticeable despite best precautions. For example, there will be local factors which have to be taken into account in determining the extent to which an object is noticeable or intrusive. This may include intermediate objects (buildings or trees), topography, the scale of the object in the wider landscape, the multiplicity of other objects in the wider panorama, the position of the object with respect to the skyline, weather, lighting conditions, etc. Softening of the visual impact can be achieved through a judicious choice of colour scheme and through the planting of shrubs, trees etc as a screen or backdrop.

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

- 5.2.1. Circular Letter PL07/12 revised elements of the 1996 Guidelines under Section 2.2 to 2.7. It advises Planning Authorities to:

- Cease attaching time limiting conditions or issuing temporary durations to telecommunications masts, except in exceptional circumstances.
- Avoid including minimum separation distances between masts or schools and houses in Development Plans.
- Omit conditions on planning permissions requiring security in the form of a bond/cash deposit.
- Not include monitoring arrangements on health and safety or to determine planning applications on health grounds.
- Include waivers on future development contribution schemes for the provision of broadband infrastructure.

### 5.3. Circular Letter PL11/2020

5.3.1. Circular Letter PL11/2020 'Telecommunications Services – Planning Exemptions and Section 254 Licences' was issued in December 2020. It advises Planning Authorities that:

- Section 254 of the Act outlines the provisions in relation to the licensing of appliances and cables etc on public roads. Where development of a type specified in section 254(1) of the Act is proposed to be carried out on a public road, approval for the works is required from a Planning Authority by means of the obtaining of a section 254 licence.
- A Section 254 Licence is required for overground electronic communications infrastructure and its associated works, and that such works are exempt from planning permission.
- The exemptions for telecommunications infrastructure along public roads do not apply:
  - (a) where the proposed development is in sensitive areas where there is a requirement for Appropriate Assessment.
  - (b) where the proposed development would endanger public safety by reason of traffic hazard or obstruction of road users.

Section 254(5) of the Act outlines the criteria to which the Planning Authority shall have regard in assessing such proposals:

- a) the proper planning and sustainable development of the area,
- b) any relevant provisions of the development plan, or a local area plan,
- c) the number and location of existing appliances, apparatuses or structures on, under, over or along the public road, and
- d) the convenience and safety of road users including pedestrians.

#### 5.4. Fingal Development Plan 2023-2029

11.8.4 Telecommunications The provision of telecommunications information is important in terms of the economic development of the County. To ensure appropriate telecommunications infrastructure is provided within the County, the Council will have regard to the Guidelines issued by the Department of the Environment, Heritage and Local Government, Planning Guidelines for Telecommunications Antennae and Support Structures 1996 and Circular Letter PL 07/12. The assessment of individual proposals will be governed by the Guidelines and the controls scheduled in Chapter 14 Development Management Standards of this Plan.

##### 5.4.1. Objective IU048 – High Quality ICT Network and Appropriate Telecommunications Infrastructure

Promote and facilitate the provision of a high-quality ICT network and appropriate telecommunications infrastructure in accordance with the Fingal Digital Strategy 2020–23 (and any subsequent plan), and to support broadband connectivity and other innovative and advancing technologies within the County, whilst protecting the amenities of urban and rural areas.

##### 5.4.2. Objective IUO52 – Telecommunications Infrastructure

Ensure that applications made in relation to the provision of overground telecommunications infrastructure, including planning applications and Section 254 licence applications, take into consideration and demonstrate compliance with the Guidance on the Potential Location of Overground Telecommunications Infrastructure on Public Roads 2015

##### 5.4.3. Objective IUO53 – High-quality Design of Telecommunications Infrastructure

Ensure a high-quality design of masts, towers, antennae and other such telecommunications infrastructure in the interests of visual amenity and the protection of sensitive landscapes in the County

5.4.4. Objective IUO54 – Sharing and Co-location Of Digital Connectivity Infrastructure

Support the appropriate use of existing assets (i.e. lighting, street furniture etc) for the deployment of telecoms equipment and to encourage the sharing and co-location of digital connectivity infrastructure in the interests of visual amenity and protection of the built heritage.

5.4.5. Chapter 14 Development Management Standards

Objective DMSO17 – Location of New Utility Structures Where possible, new utility structures such as electricity substations and telecommunication equipment cabinets should not be located adjacent or forward of the front building line of buildings or on areas of open space.

Objective DMSO18 – High Quality Design of New Utility Structures Require new utility structures such as electricity substations and telecommunication equipment cabinets to be of a high-quality design and to be maintained to a high standard by the relevant service provider.

Objective DMS 0222 – Co-Location of Antennae

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.

Objective DMSO223 – Location of Telecommunications Based Services

Encourage the location of telecommunications-based services at appropriate locations within the County, subject to environmental considerations and avoid the location of structures in fragile landscapes, in nature conservation areas, in highly sensitive landscapes and where views are to be preserved

Objective DMSO224 – Applications for Telecommunications Structures Require the following information with respect to telecommunications structures at application stage: "

- Demonstrate compliance with Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment 1996 and Circular Letter PL 07/12 issued by the Department of the Environment and Local Government (as may be amended), and to other publications and material as may be relevant in the circumstances.
- Demonstrate the significance of the proposed development as part of a national telecommunications network.
- Indicate on a map, the location of all existing telecommunications structures within a 2 km 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.
- The degree to which the proposal will impact on the amenities of occupiers of nearby properties, or the amenities of the area (e.g. visual impacts of masts and associated equipment cabinets, security fencing treatment etc.) and the potential for mitigating visual impacts including low and mid-level landscape screening, tree-type masts being provided where appropriate, colouring or painting of masts and antennae, and considered access arrangements.
- Ensure that when such licences are sought nearby property owners and occupiers are made aware of the application prior to Fingal County Council or An Bord Pleanála agreeing the licence.

#### 5.5. **Natural Heritage Designations**

There are no designated European Sites directly affecting or in the vicinity of the appeal site.

#### 6.0 **EIA Screening**

The proposed development is not a class for the purposes of EIA as per the classes of development set out in Schedule 5 of the Planning and Development Regulations 2001, as amended (or Part V of the 1994 Roads Regulations). No mandatory requirement for EIA therefore arises and there is also no requirement for a screening determination. Refer to Form 1 in Appendix 1 of report.

## 7.0 The Appeal

7.1. This is a third party appeal against the decision of Fingal County Council to issue a Section 254 Licence. The Grounds of Appeal can be summarised as follows:

- Lack of Notification – Despite the proposed development being subject to Objective DMS0224 which requires licences under Section 254 process to notify nearby properties be notified of the application prior to Fingal County Council or An Coimisiun Pleanála agreeing the licence. Residents of Killeen Estate were not notified of the licence application.
- Visual Impact – The visual impact of an 18m street pole is significant to the local area. The height and scale of the proposed structure is disproportionate to the surrounding residential landscape. The photographic evidence provided misrepresents the visual impact of the masts. A full certified visual impact assessment should have been submitted with the application. The screening of the mature trees that exist cannot be relied upon as the R106 road as indicated by the Planning authority may be subject to works which may result in a loss of trees.
- The application also provides incorrect location detail, indicating a lack of accuracy in the consideration of the assessment of the site and its surroundings
- Residential amenity – the mast is located within 15 meters of several residential units in Killeen Court/Estate
- Inappropriate Location – Killeen estate is an entire residential area there is no commercial premises located within 700-800 meter radius
- Lack of Need – The planning application asserts a need for the mast due to a claimed “blackspot”, there has been minimal residential development within 700-800m radius in the last 25 years. The application fails to provide credible evidence to justify the requirement for additional technology at this location.
- The proposed decision to grant a licence in this location is inconsistent with previous local authority decision (overturned by An Coimisiun PLeanála) for a

street pole adjacent to a commercial/retail area. It is set out that the location of proposed street pole beside an existing residential area is wholly unsuitable.

- Noise Pollution – the cabinet gives rise to noise pollution.

## 7.2. Applicant Response

- Lack of Notification – The objective of the Fingal Development Plan is noted however Fingal County Council accepted the licence application as being valid and did not require any such prior notification of nearby property owners and occupiers in advance. The objective of Development Plan is ambiguous, and it is not specified how nearby property owners and occupiers are to be informed. The term “nearby” is not defined in the plan either.
- Visual Intrusion and Scale – visual impact is a subjective matter; the photographs confirm that the proposal does not have a material negative impact. The structure is built and in place, indicating the proposal does not have a significant negative visual impact.
- Proximity to Residential Units – It is calculated the front façade of Nos 2 & 4 Kileen Court are located approximately 23.6m from the site. There is no impact on residential dwellings as a result of the proposed development.
- Need for Development – A justification for the proposal has been supplied within the planning document. As indicated in the documentation there is a current blackspot within the search ring and the purpose of the proposal is to address this blackspot. The applicants would not invest in infrastructure to improve telecommunication where it is not needed.
- Noise – In relation to noise the applicant is happy to accept a condition that noise levels do not exceed 40dB at the nearest residential dwelling

## 7.3. Planning Authority Response

The planning authority submitted a response to the appeal on the 7<sup>th</sup> of August 2025:

The planning authority have not further comment with respect to the application.

## 7.4. Observations

There are two observations on file from local residents Carmel Fox and David Worrell and Deborah McCabe. The issues raised overlap with the grounds of appeal, for the purposes of clarity the issues will be briefly summarised in this section.

- Lack of compatibility with residential surrounding
- Close proximity to dwellings
- Persistent noise disturbance
- The tree screening indicated is not guaranteed into the future
- Lack of consultation
- Unsubstantiated need for the mast
- Inaccurate and misleading application details
- Out of scale and visually obtrusive
- Contradiction with previous planning decisions in the local area

## 8.0 Assessment

8.1. Having examined the application details and all other documentation on file, including the appeal, and having inspected the site and having regard to the relevant national and local policy guidance, I consider the main issues in relation to this appeal are as follows:

- Principle of Development
- Justification for Development
- Visual Impact
- Other Issues
- Appropriate Assessment

### 8.1.1. Principle of Development/ Need for the structure – Co-location

- 8.1.2. The proposed development comprises the erection of an 18-metre monopole telecommunications structure located on the northern side of R106 Swords Road, within the grass verge. The development consists of an Alpha 3.0 monopole streetpole with 1 no.3.6m AWT"-3836 Alpha Antenna at azimuths TBD0& 300mm dish with 1 outdoor cabinet 1.64m tall X 1.8m length and 0.79m in depth). Since the license has been granted by Fingal County Council the structure is erected and operational.
- 8.1.3. The development is located on a grass verge adjoining the public road on unzoned lands that are designated as RD – Road under the Fingal Development Plan 2023–2029. RD lands identify utility installations as uses that are open for consideration, subject to compliance with relevant development management standards and policy objectives.
- 8.1.4. Section 11.8.4 of Chapter 11 of the Development Plan seeks to support the provision of telecommunications infrastructure, having regard to the Guidelines for Planning Authorities on Telecommunications Antennae and Support Structures (1996), together with subsequent circulars. Policy IUP36 further seeks to facilitate the coordinated provision of telecommunications infrastructure at appropriate locations. Development management standards relating to telecommunications infrastructure are set out in Chapter 14 of the Plan.
- 8.1.5. I note that Fingal County Council raised no objection to the proposal on the grounds of principle. Having regard to the zoning of the site, the policy support for telecommunications infrastructure, and the absence of any policy-based objection to the principle of development, I consider that the provision of a telecommunications structure at this location is acceptable in principle, subject to compliance with all relevant development management standards.

## 8.2. Justification for Development

The appellants have raised concerns that the applicant has not adequately justified the requirement for the communications structure at this location. It is stated that there is ample phone and broadband coverage in the area. It's further stated that there has been no residential development in the local area for the past 20 years therefore the requirement for a mast is not substantiated.

8.2.1. The applicant has submitted a planning statement, accompanied by supporting maps, which highlight the necessity for the proposed structure in response to the limited 4G over a 500sqm search ring radius. According to the ComReg outdoor mobile coverage maps, this area is classified as having a “fair” coverage area. It is important to note that telecommunications traffic through urban/commercial areas require more capacity and therefore more infrastructure given the smaller spatial footprint and higher development densities in association with higher volumes of radio traffic through any individual radio cell. Moreover, as technology is utilised the effective range of coverage for antennas diminishes, emphasizing the need for a dedicated mast in this specific location to ensure uninterrupted service. National policy guidance concerning telecommunications infrastructure is captured in the DoE guidelines, which address aspects such as visual impact, potential site locations, and co-location.

8.2.2. Upon evaluation, it is determined that the applicant has provided a satisfactory justification for the proposed development's location. The introduction of 4G and 5G broadband services aligns with national directives and public policy, supporting the objectives outlined in the Fingal County Development Plan 2023- 2029. On the basis of the existing level of service within the area, which is classified as “fair” on ComReg’s mobile coverage mapping, I consider that the proposal is justified. Additionally, the applicant has provided a thorough breakdown of other potential sites where co-location might be possible, however owing to distance these alternative sites are not able to cover the specific area.

8.2.3. In terms of spatial considerations around sensitive receptors, it is noted that there are no prescribed distance limitations for telecommunications structures from residential or educational facilities. The DoECLG Circular Letter PL07/12 indicates a trend where certain development plans have set minimum separation distances (such as up to 1 km) between telecommunications infrastructure and sensitive uses. Imposing stringent separation criteria without allowing for case-by-case flexibility can obstruct the identification of suitable sites for new infrastructure, negatively impacting the viability and effectiveness of telecommunications networks. I note that the Fingal County Development Plan does not specify a minimum separation distance, as per the advice contained in Circular 07/12. The proposed structure will be located c. 26 metres from the closest dwelling.. Furthermore, I note that the design of the support structure is a monopole structure, as recommended by the Guidelines for sensitive locations,

and that the height of the proposed structure allows for providers to co-locate onto the structure, as proposed. On this basis I consider the appeal site to be appropriate for the proposed development of a telecommunication structure in the context of the Telecommunication Guidelines.

8.2.4. In summary, the proposed telecommunications antenna complies with both local and national policy requirements. The applicant has demonstrated a clear need for the structure to enhance mobile communication services at this location, with adequate justification regarding its location. Therefore, it is concluded that the proposal should be supported as essential infrastructure for the development of telecommunications in the area and is in accordance with Development Plan policies.

### 8.3. Visual Impact

8.3.1. The primary concern regarding the appeal centres on the visual impact of the proposed telecommunications structure on the residential area of Kileen Court. As part of the application the applicant had submitted a series of photomontages depicting the proposed structure from various viewpoints around Malahide. However, since the licence was granted by Fingal County Council, the applicant has since erected the street pole and associated cabinet. There is no time limit on the making of an appeal to the Coimisiun in relation to Section 254 applications.

8.3.2. I reviewed all relevant information, including the photomontages submitted as part of the application and conducted a site visit. While the appellants claim that the photomontages do not provide a comprehensive visual assessment, I find them to be adequately representative for my analysis. Whilst the structure will likely be visible from additional locations in the vicinity it would not be feasible or reasonable in my opinion to require each and every location from which the proposal will be visible from to be illustrated in photomontages. In any case as the structure is currently in place, I consider the real time assessment to be the most accurate representation.

8.3.3. The design of the structure is for a tall slender column and does not vary much in terms of impact from that of a CCTV pole or streetlight. I consider that its impact absorbs naturally into the Urban environment. I further note the number of trees that the development sits behind along the R106 (Swords Road), in this regard I consider that the impact will be absorbed into the urban landscape and would not have a significant impact on visual amenity locally. Furthermore the site is not located in an

Architectural Conservation Area or impacts on any protected structures. The proposal does not obscure any views or areas of high amenity. In this regard, I do not consider the issue of visual impact to be so substantive to warrant a reason for refusal in this instance. I consider that the proposal is intermittently visible in the surrounding landscape from a number of locations, however I also note that the proposed structure does not terminate any view and will be screened within a wider context. As such, I do not consider that the structure as erected would dominate or be unduly intrusive within the landscape at this location.

#### 8.4. Other Matters

##### 8.4.1. Noise

The appellants and observers on file have raised concerns regarding noise emissions from the cabinet associated with the proposed development.

During the site inspection, I did not consider the level of noise emitted from the cabinet to be excessive. The noise was not discernible above the prevailing background noise levels, nor did it present as a pitched or tonal sound when assessed in situ. The R106 is a busy regional road with significant volumes of vehicular traffic, and in my observation, noise arising from passing vehicles was more pronounced and tonal than any noise associated with the adjacent cabinet.

Notwithstanding the above, the applicant has indicated a willingness to incorporate noise mitigation measures, including the installation of internal baffles within the cabinet, to further reduce any potential noise emissions. The applicant has also agreed to comply with a noise limit measured at the nearest noise-sensitive receptors.

While it is acknowledged that noise remains a concern for residents, I consider it reasonable and proportionate that any potential impacts can be adequately addressed by condition. Accordingly, where the Commission is minded to grant a licence, I recommend that a condition be attached requiring the installation of noise attenuation measures, including baffles within the cabinet, and limiting operational noise levels to a maximum of 40 dB(A) when measured at the nearest noise-sensitive receptors.

##### 8.4.2. Lack of public Consultation

Appellants and observers have raised concerns regarding the absence of public consultation in advance of the application, with specific reference to Objective DMS0224 of the Development Plan. The concluding part of this objective states: “Ensure that when such licences are sought nearby property owners and occupiers are made aware of the application prior to Fingal County Council or An Bord Pleanála agreeing the licence.”

I note that no evidence of public consultation has been submitted as part of the application. I also note that Fingal County Council did not raise the issue of public consultation. However, having regard to the wording of Objective DMS0224, I observe that while the objective identifies an expectation that nearby property owners and occupiers be made aware of such licence applications, it does not provide any guidance or detail as to how this consultation is to be undertaken. In particular, the Development Plan does not specify the form of consultation required, the extent of notification, or the geographical area within which such awareness should be facilitated. I note that the applicant has complied with all other aspects of Objective DMS0224.

In the absence of clarity within the Development Plan regarding the practical implementation of this aspect of the objective, I consider it unclear what level or form of public consultation could reasonably be expected of the applicant. I further note that Fingal County Council has previously granted Section 254 licences for similar developments without evidence of public consultation being provided. In this context, I do not consider the absence of public consultation to constitute a substantive planning issue. Furthermore, it is relevant that a Section 254 licence is not subject to a statutory time limit for appeals to An Coimisiún Pleanála. Accordingly, third parties retain the opportunity to make representations or appeals following the granting of such a licence.

Having regard to the above, I am satisfied that the issue of public consultation, in this instance, does not warrant refusal of the proposed development and is not a material contravention of the Development Plan policy objective.

## 9.0 AA Screening

- 9.1. Having regard to the nature and scale of the proposed development, which is for telecoms infrastructure consisting of a 18m high street pole and operator cabinets in an established and serviced urban area, the distance from the nearest European site, no appropriate assessment issues arise. Therefore, 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.

## 10.0 Recommendation

- 10.1. I recommend a licence be issued for the erection of a streetpole and antennae and ancillary equipment subject to the following conditions:

## 11.0 Reasons and Considerations

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 interests of clarity.

2. This licence is for one 18 m freestanding pole and antennae and associated operator cabinet only in accordance with the details submitted to the Planning Authority on the 20<sup>th</sup> of May 2024.

Reason: To clarify the nature and extent of the permitted development to which this licence relates and to facilitate a full assessment of any future alterations.

3. The licence shall be valid for a period of five years only effective from the date of Fingal County Council chief executives Order. The telecommunications structure and related ancillary structures shall then be removed unless, prior

to the end of the period, a further Section 254 licence has 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 and acceptability of the development to be reassessed, having regard to changes in technology and design during the specified period.

4. During the operational phase of the proposed development the noise level shall not exceed (a) 40 dB(A) rated sound level and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times , (corrected for a tonal or impulsive component) as measured at the nearest dwelling.

Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior within 3 months of grant of this licence.

b) The applicant shall provide details of proposed mitigation measures that includes the insertion of a baffle within the cabinet or other noise reduction apparatus for the written agreement of the planning authority within 3 months of grant of this licence.

Reason: To protect the [residential] amenities of property in the vicinity of the site

5. The developer/operator shall provide and make available, on reasonable terms the said mast for the provision and location of mobile telecommunications antennae of third-party mobile phone and telecommunications operators.

Reason: To avoid the multiplicity of masts within the county and the proper planning and development of the area.

I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence me, directly or indirectly, following my professional assessment and recommendation set out in my report in an improper or inappropriate way.

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Darragh Ryan  
Planning Inspector

29<sup>th</sup> of January 2026

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	323027-25		
<b>Proposed Development Summary</b>	Section 254: Streetpole solution to address identified mobile and mobile broadband coverage blackspots		
<b>Development Address</b>	Public Grass Verge, Swords Road, ITM E 720796.364 N 745853.7, Malahide, Co Dublin		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)	<b>Yes</b>		
	<b>No</b>	X	
<b>2. Is the proposed development of a CLASS specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended)?</b>			
<b>Yes</b>			
<b>No</b>	X		Tick if relevant. No further action required
<b>3. Does the proposed development equal or exceed any relevant THRESHOLD set out in the relevant Class?</b>			
<b>Yes</b>			
<b>No</b>	X		
<b>4. Is the proposed development below the relevant threshold for the Class of development [sub-threshold development]?</b>			
<b>Yes</b>			

<b>5. Has Schedule 7A information been submitted?</b>
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No	X	
Yes		

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_