

An
Bord
Pleanála

Board Order ABP-320737-24

Planning and Development Acts 2000 to 2022

Planning Authority: Fingal County Council

Planning Register Reference Number: F24A/0539E

Appeal by On Tower Ireland Limited care of Indigo of Houston Hall, Ballycummin Avenue, Raheen Business Park, Limerick against the decision made on the 9th day of August, 2024 by Fingal County Council to refuse permission.

Proposed Development: Installation of six number antennas and two number transmission dishes on ballast-mounted supporting poles together with associated equipment cabinets, cabling and associated site works at the roof level and ground level of the Lidl Store, Strand Road, Burrow, Portmarnock County Dublin.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the national strategy regarding telecommunications infrastructure,
- (b) the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in 1996,
- (c) the Telecommunications Antennae and Support Structures and Department and Environment, Community and Local Government Circular Letter PL07/12,
- (d) the location of the proposed development within a zoned 'TC' site, wherein telecommunications masts are permitted in principle,
- (e) planning policies and objectives under the Fingal Development Plan 2023-2029, and
- (f) the nature, scale and location of the proposed telecommunications structure,

it is considered that the proposed development would be in accordance with National Policy and guidance on telecommunications infrastructure and with the objectives of the Fingal Development Plan 2023-2029. It is also considered that, subject to compliance with the conditions set out below, the proposed development would not adversely impact the character of the area, would not seriously injure the visual or residential amenities of the area, and would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for environmental impact assessment, or environmental impact assessment is required.

Conditions

1. The proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the Board on the 4th day of September, 2024, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The antennae type and mounting configuration shall be in accordance with the details submitted with the appeal and, notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.

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

3. Details of the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of the development. The Glass Reinforced Plastic (GRP) radio frequency transparent shrouds/enclosures shall be painted to match the façade of the building.

Reason: In the interest of visual amenity.

4. In the event of the proposed structures becoming obsolete and being decommissioned, the developer shall, at its own expense, remove the telecommunications structures and associated equipment.

Reason: In the interest of orderly development.

5. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

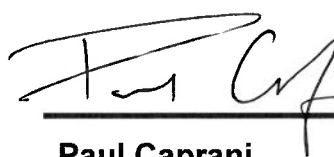
Reason: In the interest of public health.

6. The developer shall provide and make available on reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications operators.

Reason: In the interest of the avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and the proper planning and sustainable development of the area.

7. No advertisement or advertisement structure shall be erected or displayed on the proposed telecommunications structures or associated equipment without a prior grant of planning permission.

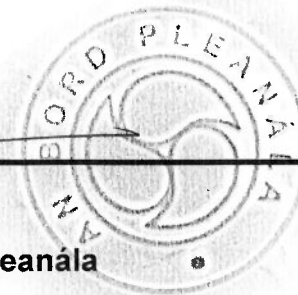
Reason: In the interest of the visual amenities of the area.



Paul Caprani

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 19th day of March, 2025.