



An  
Bord  
Pleanála

**Board Direction**  
**BD-004834-19**  
**ABP-304869-19**

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The submissions on this file and the Inspector's report were considered at a Board meeting held on December 23<sup>rd</sup>, 2019.

The Board decided, on a vote of 2 to 1, to refuse permission for the following reasons and considerations.

### **Reasons and Considerations**

Having regard to the prominent location of the proposed telecommunications structure, adjacent to the Architectural Conservation Area in Adare town centre, a historical location from which the proposed mast would be visible, and proximate to protected structures, and in particular the Courthouse (RPS no. 870), and having regard to the "Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities", issued by the Department of the Environment and Local Government in July 1996, which states that "only as a last resort should free standing masts be located within or in the immediate surrounds of smaller towns and villages", it is considered that the proposed development would be visually obtrusive and out of character with the town centre of Adare, would be contrary to these Ministerial Guidelines, and would seriously injure the visual amenities of the area, including those of the Architectural Conservation Area and the nearby protected structure. The proposed development 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 did not accept that the issues raised in the previous refusal for a similar form of telecommunications structure in the town centre (planning application register reference number 17/972, An Bord Pleanála reference number 300664-18) had been resolved, and in particular was not satisfied that the appropriate balance had been struck between the technological requirements and the protection of the character of Adare. In this regard, the Board noted, notwithstanding the submission of the applicants, that the Ministerial Guidelines remain the appropriate guidance on these matters, to which the Board is statutorily obliged to have regard. The Board did not agree with the Inspector's view that the proposed development, involving the replacement of a 6.5-metre-high car park light pole with an 18-metre-high telecommunications structure, would be acceptable in terms of the Architectural Conservation Area of Adare, and was not convinced of his assessment of the impact of this development on the view of the Courthouse, a significant protected structure.

**Board Member**

**Date:** 30<sup>th</sup> December 2019

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Philip Jones