



An
Bord
Pleanála

Board Direction
BD-005599-20
ABP-306033-19

The submissions on this file and the Inspector's report were considered at a Board meeting held on 17/04/2020.

The Board decided to disallow the appeal and to direct the planning authority to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions.

Reasons and Considerations

Having regard to the provisions of Section 254 of the Planning and Development Act 2000, as amended, national, regional and local policy objectives, as represented in the Donegal County Development Plan 2018-2024 to support the development of a sustainable telecommunications network throughout the county, and the DOEHLG Section 28 Statutory Guidelines, "*Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities*, 1996, as updated by circular letter PL 07/12 in 2012, and having regard to the nature and scale of the development, it is considered that, subject to the conditions set out below, the proposed development would not be contrary to the site's open space land use zoning objective, and would not seriously injure the residential or visual amenities of the area or property in the vicinity and would not be prejudicial to public health. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. This licence is for 1 no. 15 m freestanding pole and antennae and associated operator cabinet only in accordance with the details submitted to the planning authority on 23rd April 2019.

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.

2. (a) The licence shall be valid for a period of 3 years only from the date of this 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.

3. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site.

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

4. The structures hereby permitted shall not interfere with existing services, existing drainage systems and shall not obstruct pedestrian access.

Reason: In the interests of orderly development and pedestrian safety.

Board Member

Date: 17/04/2020

Chris McGarry

