



An
Bord
Pleanála

Board Direction
BD-010793-22
ABP-310950-21

The submissions on this file and the Inspector's report were considered at a Board meeting held on 26/05/2022.

The Board noted that the inspector dealt with the appeal under Section 139 of the Planning and Development Act 2000, as amended. However, the Board determined the appeal under section 254 of that Act, which is the relevant section. The Board also decided, generally in accordance with the recommendation set out in the inspector's report and based on the reasons and considerations set out below, to direct the planning authority to alter the licence by the removal of Condition No.10 and the reason therefor.

Reasons and Considerations

Having regard to the nature and scale of the proposed development for a Section 254 Licence for a 15m telecommunications pole with associated ground mounted cabinet to be located within the public realm, it is considered that, the requirement to contact all landowners within a 100m radius and inform them of the development, the impact of the development on individual properties, to reply to submissions received and inform third parties of the appeals process, following the issuing of the a decision by the planning authority, would be unnecessary, unreasonable, and overly onerous. Taking account of the removal of Condition No.10, the Board considered that the proposed development for which the licence is granted would be in accordance with the proper planning and sustainable development of the area.

Board Member:

Patricia Calleary
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Date: 26/05/2022