



An
Bord
Pleanála

Board Direction
BD-014126-23
ABP-313869-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 14/06/2023.

The Board decided by majority vote (2;1) to grant permission for the following reasons and considerations.

Reasons and Considerations

Having regard to the nature, scale and design of the proposed development, the Waterford City and County Development Plan 2022- 2028 and the 'Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL11/2020, respectively); it is considered that the proposed development, subject to compliance with the conditions set out below, would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. The Board also concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2, Schedule 5 of the Planning and Development Regulations 2001, as amended, and therefore no preliminary examination or EIA is required. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board considered that the applicant complies with national, regional and local guidelines as well as policies UTL 16 and DM30 of the Waterford City and County Development Plan 2022-28 and has sufficiently demonstrated justification for the mast on the subject site.

Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the subject structure.</p> <p>Reason: In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.</p>
3.	<p>Details of the proposed colour scheme for the telecommunications structure, ancillary structures, fencing and gates shall be submitted to and agreed in writing with the planning authority prior to commencement of development.</p> <p>Reason: In the interest of the visual amenities of the area.</p>
4.	<p>a) In the event of the proposed structure becoming obsolete and being decommissioned, the developers shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.</p> <p>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 removal of the</p>

	<p>telecommunications structure and ancillary structures and the work shall be completed within three months of the planning authority's approval in writing of these details.</p> <p>Reason: In the interest of orderly development.</p>
5.	<p>The antennae type and mounting configuration shall be in accordance with the details submitted with this application, and notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, shall not be altered without a prior grant of planning permission.</p> <p>Reason: To clarify the nature and extent of the permitted development to which the permission relates and to facilitate a full assessment of any future alterations.</p>

Board Member



Joe Boland

Date: 13/10/2023

