



An
Bord
Pleanála

Board Direction
BD-015056-24
ABP-315287-22

The submissions on this file and the Inspector's report were considered at a Board meeting held on 15/01/2024.

The Board decided 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 the Kerry County Development Plan 2022-2028, the provisions of the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities 1996, and the Circular Letter PL07/12, the established use of the proposed development site, and the pattern of development in the vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would not seriously injure the visual or residential amenities of the area and would be in accordance with the proper planning and sustainable development of the area.

The Board noted that the development is a project for the purposes of the EIA 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 EIA or EIA is required.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application on 3rd October, 2022 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.

Reason: In the interest of clarity.

2. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. Details of the materials, finishes and colour of the telecommunications support structure and associated equipment shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

4. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

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

5. The developer shall provide and make available at reasonable terms, the proposed communications structure for the provision of mobile telecommunications antenna of third party licensed mobile telecommunications operators.

Reason: In the interests of visual amenity and the proper planning and sustainable development of the area.

6. In the event of the proposed structure becoming obsolete and being decommissioned, the developer shall, at their own expense, remove the mast, antennas and ancillary structures and equipment.

Reason: In the interest of orderly development.

7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

Board Member

Eamon James Kelly

Date: 15/01/2024

Eamon James Kelly

DECISION QUASHED