



An
Bord
Pleanála

Board Direction
BD-014708-23
ABP-315922-23

The submissions on this file and the Inspector's report were considered at a Board meeting held on 06/11/2023.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the reasons and considerations below.

Reasons and Considerations

The 'Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities' (July 1996) state, *inter alia*, that only as a last resort should free-standing masts be located within or in the immediate surrounds of smaller towns or villages (ref. section 4.3, p. 9 of said guidelines). The Board is not satisfied, based on the information submitted at application and appeal stages, that possible alternative locations were appropriately considered and, therefore, the Board can not be satisfied, in this instance, that the site chosen constitutes 'a last resort'. The proposed development would, therefore, be contrary to the said guidelines and would conflict with policy KCDP 14-79 of the Kerry County Development Plan 2022-2028 which seeks to achieve a balance between facilitating the provision of telecommunication infrastructure and sustaining residential amenity. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

Note:

In deciding not to accept the Inspector's recommended refusal reason no. 2, the Board noted the reduction in height in the current application compared to that previously refused under planning reg. ref. 20/691 (from 18 m to 15 m), the separation distances between the proposed mast and the nearest dwellings, and the nature of the intervening space. The Board was also not satisfied that the proposed development would depreciate the value of residential property in the vicinity.

In deciding not to accept the Inspector's recommended refusal no. 3, the Board did not consider that the proposed development would adversely impact on the character or setting of the Knocknagoshel Architectural Conservation Area (ACA) or any protected structure in Knocknagoshel (as listed in Volume 3 of the Kerry County Development Plan 2022-2028) given the nature of the development proposed, the separation distances between the application site and the ACA and protected structures, and the difference in ground levels at the application site compared to the ACA and protected structures (which are at higher levels).

In deciding not to accept the Inspector's recommended refusal no. 4, the Board did not consider that the proposed development would detract from the special character of the Knocknagoshel ACA given the separation distances between the ACA and the application site and the fact that the ACA is at a higher level than the application site. The Board was satisfied that other aspects of the statement of special character, including vistas, street layout, building forms, finishes, the curved building line and views of the RC Church remain unaffected by the proposed development. The Board noted that the location of the proposed development was not within, or immediately adjoining, the ACA or the village's historic centre. The Board was satisfied that the proposed development would not conflict with the Knocknagoshel ACA or Objectives Nos. KL-GO-01 and KL-GO-02 of the Tralee Municipal District Local Area Plan 2018-2024.

Board Member



Tom Rabbette

Date: 28/11/2023