



An  
Bord  
Pleanála

**Board Direction**  
**BD-016081-24**  
**ABP-317619-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 09/04/2024.

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:

- (a) national policy regarding the provision of mobile communications services,
- (b) the Telecommunications Antennae and Support Structures, Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July 1996, as updated by Circular Letter PL/07/12 issued by the Department of the Environment, Community and Local Government,
- (c) the policy of the planning authority, as set out in the Kerry County Development Plan 2022-2028, to support the provision of telecommunications infrastructure,
- (d) the proposed removal of the existing telecommunications structure and the topography of the site particularly having regard to Currow Hill rising to the south of the subject site.
- (d) the nature and scale of the proposed telecommunications monopole structure, and it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities of the area, or the residential amenities of the area and would not be contrary to the overall

provisions of the current development plans for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

**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><b>Reason:</b> In the interest of clarity</p>
2.	<p>This permission is for a temporary period of five years from the date of this order after which time the telecommunications structure and related ancillary structures including access track shall then be removed and the site shall be reinstated on removal of the structures unless, a separate grant of planning permission has first been obtained for the continuation of the use and maintenance of the associated structures.</p> <p><b>Reason:</b> To permit the planning authority to reassess the situation in light of the circumstances at this time.</p>
3.	<p>The developer shall provide and make available at reasonable terms the proposed telecommunications structure for the provision of telecommunications antenna of third-party licensed telecommunication operators.</p> <p><b>Reason:</b> In the interest of the avoidance of a multiplicity of telecommunications structures in the area, in the interest of visual amenity and the proper planning and sustainable development of the area.</p>
4.	<p>Before development commences on foot of this permission, details of the following matters:</p>

	<p>a) Details relating to the removal and reinstatement of the site at the existing 10m high wooden telecommunications pole,</p> <p>b) Details of the access track and surface water drainage arrangements, and</p> <p>c) Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing.</p> <p>shall be submitted to and agreed in writing with the planning authority and the development shall be carried out and completed in accordance with the details agreed.</p> <p><b>Reason:</b> In order to clarify the details of the development being permitted and in the interest of proper planning and sustainable development.</p>
5.	<p>a) The site shall be landscaped, using only indigenous deciduous trees and hedging species, in accordance with details which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.</p> <p>b) The existing hedgerow and trees on the site shall be retained. Details of the measures to be put in place for their protection during the construction period shall be submitted to the planning authority for written agreement prior to commencement of development.</p> <p><b>Reason:</b> In order to screen the development and assimilate it into the surrounding rural landscape, in the interest of visual amenity.</p>
6.	<p>(1) The telecommunications monopole structure shall be fitted with a Type A/B, low intensity, fixed red obstacle lighting with a minimum output of 32 candelas shall be provided and be visible from all directions of azimuth (omnidirectional). Lights shall be operational H24/7. Any unserviceable lamp fittings should be replaced as soon as possible after failure, and in any event within 24 hours.</p> <p>(2) The light fittings shall emit light at the near Infra-Red (IR) range of the electromagnetic spectrum, specifically at or near 850</p>



	<p>nanometres (nm) of wavelength. Light intensity to be of similar value to that emitted in the visible spectrum of light.</p> <p><b>Reason:</b> In the interest of public safety.</p>
7.	<p>The developer shall provide the as constructed coordinates in WGS84 format together with ground and tip height elevations of the mast utilising an approved aeronautical data provider, as listed on the Irish Aviation Authority (IAA) website, to the IAA and a copy shall also be furnished to the planning authority.</p> <p><b>Reason:</b> In the interest of public safety.</p>
8.	<p>The developer shall notify in writing Kerry Airport and the Irish Aviation Authority (IAA) of intention to commence construction, with at least 30 days prior notification.</p> <p><b>Reason:</b> In the interests of orderly development.</p>

**Note:**

The Board considered the proposed development comes within the definition of a 'project' for the Purposes of EIA.

**Board Member**



Liam Bergin

**Date:** 16/04/2024