



An
Bord
Pleanála

Board Direction
BD-018360-24
ABP-318665-23

The submissions on this file and the Inspector's report were considered at a Board meeting held 2/12/2024.

The Board directs the planning authority to grant a licence 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 Section 254 of the Planning and Development Act, 2000 (as amended),
- The National Development Plan 2018 – 2027,
- Objective 48 of the National Planning Framework 2020 – 2040,
- The Telecommunications Antennae and Support Structures Guidelines as revised by Circular Letter PL 07/12, and
- Objective UTL 16 of the Waterford City & County Development Plan 2022 – 2028

it is considered that, subject to conditions, the proposal would contribute to the roll out of broadband services in accordance with national and local objectives. This proposal would be consistent with the convenience and safety of road users, including pedestrians, and it would be compatible with the visual and residential

amenities of the area. No water or Appropriate Assessment issues would arise. The proposal would, therefore, accord with the proper planning and sustainable development of the area.

The Board considers that the proposed 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 licence 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.

Reason: In the interest of clarity.

2. The licence shall be valid for five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed, and the lands reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, continuance shall have been granted for their retention for a further period.

Reason: To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. Notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the telecommunication structures shall not be altered and no additional apparatus shall be attached, without written approval.

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

4. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing 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 proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

Reason: In the interests of visual amenity of the area.

6. The cabinets shall have an anti-climb device fitted and pitched metal capping to the top surface of the cabinet to prevent sitting or standing on the cabinet.

Reason: In the interests of protecting residential amenity.

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site.

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

Board Member



Joe Boland

Date: 03/12/2024