# An Bord Pleanála



## PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

# Waterford City and County

Planning Register Reference Number: 15/620

An Bord Pleanála Reference Number: PL 93.245986

**APPEAL** by ESB Telecoms Limited of 27 Lower Fitzwilliam Street, Dublin against the decision made on the 14<sup>th</sup> day of November, 2015 by Waterford City and County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

**PROPOSED DEVELOPMENT:** Continued use of the existing 36 metre high, free standing lattice communication structure carrying antennae and communication dishes, within the existing 2.4 metre high palisade compound previously granted time limited consent under planning register reference number 10/230, all at ESB Waterford Gracedieu, Regional Office, Gracedieu Road, Waterford.

#### **DECISION**

Having regard to the nature of the condition the subject of the appeal, the Board is satisfied that the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted and, based on the reasons and considerations set out below, directs the said Council under subsection (1) of section 139 of the Planning and Development Act, 2000 to REMOVE condition number 2 and the reason therefor and to AMEND condition number 4 so that it shall be as follows for the reason set out.

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4. The developer shall allow, subject to reasonable terms, other licenced mobile telecommunications operators to co-locate their antenna onto the proposed structure.

**Reason:** In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

## **REASONS AND CONSIDERATIONS**

Having regard to the importance of the existing facility as a telecommunications hub, to the location of the facility, to the exempted development provisions of the Planning and Development Regulations, 2001, as amended, and to Government policy on co-location, the Board considered that condition number 2 was not warranted. The Board further considered having regard to the determination made under condition number 2 that condition number 4 should also be amended as set out above.

## **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2016.

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