

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Kildare County

Planning Register Reference Number: 16/127

An Bord Pleanála Reference Number: PL 09.246459

APPEAL by ESB Telecoms Limited of 27 Lower Fitzwilliam Street, Dublin against the decision made on the 7th day of April, 2016 by Kildare County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of continuation of the use of the existing 45 metre high free standing birdcage type communications structure carrying antennae and communications dishes within an existing 2.4 metre high chainlink compound previously granted temporary permission under planning register reference number 11/587, all at Electricity Supply Board's Kilteel 110kV substation, townland of Oldmilltown, Kilteel, County Kildare.

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.

REASONS AND CONSIDERATIONS

Having regard to;

- (a) the location of the telecoms compound within an industrial estate and adjacent to electricity infrastructure, including a substation and powerlines,
- (b) the guidelines relating to Telecommunications Antennae and Support Structures which were issued by the Department of the Environment and Local Government to planning authorities in July, 1996 and to Circular Letter: PL 07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012 ,
- (c) the provisions of the Kildare County Development Plan 2011-2017 which encourage the development of telecoms infrastructure, including co-location of antennae on existing masts and wherein the landscape within which the site is located is rated as medium sensitivity, and
- (d) the provisions of the Planning and Development Regulations, 2001, as amended, in respect of exempted development for telecommunications infrastructure and the limitations contained therein,

the Board does not consider that the condition is necessary or justified in this case.

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.