

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Louth County

Planning Register Reference Number: 16/236

An Bord Pleanála Reference Number: PL 15.246812

APPEAL by Electricity Supply Board Telecoms Limited of 27 Lower Fitzwilliam Street, Dublin against the decision made on the 2nd day of June, 2016 by Louth County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Retention of the existing 30 metre high telecommunications support structure carrying antennas and dishes (previously granted under planning register reference number 08/124) within a 2.4 metre high palisade fence and all to form part of Electricity Supply Board's existing communication system and to share with other licensed operators, all at the 38kV substation, Newtown Road, Newtownstalaban, Drogheda, County Louth.

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 telecommunications support structure adjacent to a 38kV electrical substation and powerlines, in an area characterised by a significant amount of industrial development,
- (b) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July, 1996 and Circular Letter PL07/12 issued by the Department of the Environment, Community and Local Government in October, 2012,
- (c) the provisions of the Drogheda Borough Council Development Plan 2011-2017 which encourages sharing of existing antennae support structures, and
- (d) the provisions of the Planning and Development Regulations, 2001, as amended, in respect of exempted development for telecommunications infrastructure and the conditions and limitations contained therein,

the Board does not consider that condition number 2 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.