



An
Bord
Pleanála

Board Order PL 17.248540

Planning and Development Acts 2000 to 2017

Planning Authority: Meath County Council

Planning Register Reference Number: KA/170218

Appeal by Cignal Infrastructure Limited care of 4Site of Keating Road, Raheen Business Park, Limerick against the decision made on the 26th day of April, 2017 by Meath County Council to grant subject to conditions a permission in accordance with plans and particulars lodged with the said Council.

Proposed Development: Continuance of use for existing 30 metre telecommunications support structure carrying associated antennae and link dishes, associated equipment cabinet (as per previous planning register reference number KA/901199) and permission for additional antennae and link dishes and associated cabinet, including existing security fencing and access track at Cabragh Townland, Kells, County Meath. The development will continue to form part of existing 3G broadband network.

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 6 and the reason therefor.

Reasons and Considerations

Having regard to:

- (a) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July, 1996 and the amending Circular Letter PL 07/12 issued by the Department of the Environment, Community and Local Government on the 19th day of October, 2012,
- (b) the Development Management Guidelines for Planning Authorities issued by the Department of the Environment, Heritage and Local Government in June, 2007, and
- (c) the provisions of the Meath County Development Plan 2013-2019,

the Board considered that the matters to be regulated by condition number 6 are the responsibility of another regulatory authority (the Commission for Communications Regulation) and, therefore, it is considered that the attaching of this condition to a grant of permission is not necessary or justified in this case and would be inappropriate.

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 2017