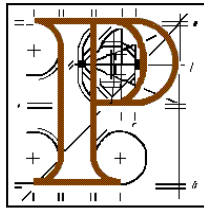


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2017

Louth County Council

Planning Register Reference Number: 17/520

An Bord Pleanála Reference Number: ABP-300627-18

APPEAL by Three Ireland (Hutchison) Limited of 28/29 Sir John Rogerson's Quay, Dublin against the decision made on the 8th day of December, 2017 by Louth County Council to refuse permission for the proposed development.

PROPOSED DEVELOPMENT: Construction of a 24-metre telecommunications lattice support structure carrying antennas and transmission dish, with associated equipment units, security fencing and access track at Termonfeckin Townland, Termonfeckin, County Louth. Further public notices were received by the planning authority on the 15th day of November, 2017 which included the following: A new alternative existing vehicular access point will be used (some 230 metres to the east of the original proposed vehicular access point).

DECISION

GRANT permission for the above proposed development in accordance with the plans and particulars lodged with the said council, based on the reasons and considerations under and subject to the conditions set out below.

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.

REASONS AND CONSIDERATIONS

Having regard to:

- (a) the national strategy regarding the provision of mobile communications services,
- (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, as updated by 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 policy of the planning authority, as set out in the Louth County Development Plan 2015-2021, to support the provision of telecommunications infrastructure,
- (d) the nature and scale of the proposed telecommunications support structure, and
- (e) the low levels of traffic predicted and the revised proposals for the site entrance, as submitted to An Bord Pleanála on the 10th day of January, 2018 with the appeal documentation,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenities or landscape character of the area, or the residential amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted to the planning authority on the 15th day of November, 2017 and by the further plans and particulars received by An Bord Pleanála on the 10th day of January, 2018, 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 proposed ancillary structures and paladin fencing shall be finished in a dark green colour throughout.

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

3. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

4. The site access and the access track serving the proposed development shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of traffic safety.

5. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of traffic management during the construction phase, details of intended construction practice for the development, including hours of working, noise management measures and off-site disposal of construction waste, as well as protective measures to be employed during the construction of the access track with respect to the watercourse and boundary hedgerows, which shall be in accordance with the Inland Fisheries Ireland document “ Guidelines on Protection of Fisheries During Construction Works in and Adjacent to Waters (2016).

Reason: In the interests of public safety and visual and residential amenity.

6. Within six months of the cessation of use the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated at the developer's expense. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to cessation of the use of the structure. Reinstatement shall be deemed to include the grubbing out of and replanting of the access track created in association with the development permitted herein.

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

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

Dated this day of 2018.