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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 18/13**

**APPEAL** by Signal Infrastructure Limited care of CMC Planning Consultants of 3<sup>rd</sup> Floor, Fumbally Exchange, 5 Dame Lane, Dublin against the decision made on the 19<sup>th</sup> day of April, 2018 by Kilkenny County Council to refuse permission.

**Proposed Development:** Construction of telecommunications infrastructure comprising a 42 metre multi-operator lattice tower with antenna and dishes attached, associated equipment, cabins and cabinets, fencing, use of existing access and access track and extension of access track at Mounnugent Upper, Johnswell, County Kilkenny.

**Decision**

**REFUSE** permission for the above proposed development in accordance with the reasons and considerations 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 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,
- (b) the height (42 metres), scale and elevated location of the proposed development in an area where there are three existing permitted masts, and
- (c) the planning histories for the existing masts in the vicinity,

it is considered that the proposed development would lead to a proliferation of telecommunications structures where an opportunity for co-location exists in the immediate area on permitted masts and would seriously injure the visual amenities of the area. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.

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**Terry Ó Niadh**

**Member of An Bord Pleanála**

**duly authorised to authenticate**

**the seal of the Board.**

**Dated this            day of            2019.**