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**Planning and Development Acts 2000 to 2018**

**Planning Authority: Louth County Council**

**Planning Register Reference Number: 17/930**

**Appeal** by Three Ireland (Hutchison) Limited of 28/29 Sir John Rogerson's Quay, Dublin against the decision made on the 27<sup>th</sup> day of April, 2018 by Louth County Council to refuse permission to the said Three Ireland (Hutchison) Limited.

**Proposed Development:** Construction of a new 24 metres high slim line monopole support structure carrying three number telecommunications antennas, one number transmission dish together with associated equipment cabinet at ground level, all associated works and security fencing at site, all at Jackie's Restaurant, Dublin Road, Haggardstown County Louth.

**Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars 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 19<sup>th</sup> day of October, 2012,
- (c) the nature and scale of the proposed telecommunications support structure, and
- (d) the sites location adjacent to a surface car park adjacent to a pub and restaurant

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, 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 particulars submitted to the planning authority on the 10<sup>th</sup> day of April, 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. Prior to commencement of development, details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing shall be submitted to, and agreed in writing with, the planning authority.

**Reason:** In the interest of visual amenity and orderly development.

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. Details of a proposed landscaping scheme shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

**Reason:** In the interest of visual amenity.

5. The transmitter power output antennae type and mounting configuration shall be in accordance with the details submitted with the application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provisions amending or replacing them, shall not be altered without a prior grant of planning permission.

**Reason:** To clarify the nature and extent of the permitted development and to facilitate a full assessment of any future alterations.

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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.**