



Planning and Development Acts 2000 to 2018

Planning Authority: Kildare County Council

Planning Register Reference Number: 18/973.

Appeal by Three Ireland (Hutchison) Limited of 28/29 Sir John Rogerson's Quay, Dublin against the decision made on the 30th day of November, 2018 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: Construction of a 30-metre high telecommunications structure carrying antennas and transmission dishes, with associated equipment units, security fencing and access track at Bullhill, Calverstown, County Kildare.

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 19th day of October, 2012,
- (c) the policy of the planning authority, as set out in the Kildare County Development Plan 2017-2023, to support the provision of telecommunications infrastructure, and
- (d) the nature and scale of the proposed telecommunications support structure,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities or landscape character 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, 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 interests 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. 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.

Terry Ó Niadh

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

Dated this day of 2019.