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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 19/83**

**APPEAL** by Cignal Infrastructure Limited care of 4Site, 4Site House, Raheen Business Park, Limerick against the decision made on the 5<sup>th</sup> day of June, 2019 by Kilkenny County Council to refuse permission.

**Proposed Development:** Construction of a 30-metre multi-user lattice telecommunications support structure, carrying antenna and dishes enclosed within a 2.4 metre high palisade fence compound together with associated ground equipment cabinets and associated site works within the maintenance yard area of Kilkenny Golf Club, Glendine Road, 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 the provisions of the Kilkenny City and Environs Development Plan 2014 – 2020, to the Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, issued by the Department of the Environment and Local Government in July, 1996 and to the existence of other telecommunications structures in the general vicinity, serving the same target geographical area as that proposed in this case, it is considered that the applicant has not demonstrated that the proposed development would be necessary, and would not, if permitted, lead to a proliferation of telecommunications structures in this area, or set a precedent for the provision of such structures generally. Furthermore, it was considered that the applicant has not satisfactorily demonstrated that additional mobile coverage, if required, could not be achieved by co-location with other operators on existing telecommunications structures, as advised by the Guidelines. Accordingly, the proposed development would be contrary to the Ministerial Guidelines and to the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to grant permission, the Board was not satisfied that the applicant had demonstrated that the proposed development would provide necessary additional telecommunications coverage for the chosen area, when compared with the level of service already provided by other operators for this area, and had not demonstrated that any additional mobile telecommunications coverage for the specific operator could not be enhanced, if required, by means of co-location on existing structures.

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**Philip Jones**

**Member of An Bord Pleanála**

**duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2020.**