



Planning and Development Acts 2000 to 2019

Planning Authority: Galway County Council

Planning Register Reference Number: 19/717

Appeal by David Quinn and others care of Sheeaunpark, Athenry, County Galway against the decision made on the 5th day of July, 2019 by Galway County Council to grant subject to conditions a permission to Vodafone Ireland Limited care of Chapterhouse, Tea Lane, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of a 30 metre height lattice structure together with associated antennas, dishes and ground based equipment all enclosed in security fencing, at Caherateemore South, Belleville, Athenry, County Galway.

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 improvement of mobile communications services and the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, 1996, issued by the Department of the Environment and Local Government, and Circular Letter PL 07/112,
- (b) the Galway County Development Plan 2015-2021,
- (c) the general topography and landscape features in the vicinity of the site,
- (d) the separation distance and landscaping between it and residential development, and
- (e) the existing pattern of development in the vicinity,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area

and would otherwise 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. The transmitter power output, antenna type and mounting configuration shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision 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 to which this permission relates, and to facilitate a full assessment of future alterations.

3. The site shall be reinstated on the removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority as soon as practicable.

Reason: In the interest of orderly development.

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

Reason: In the interest of public health.

5. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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

6. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.

7. (a) The developer shall provide and make available, on reasonable terms, the existing mast for the provision of mobile telecommunications antenna for third party licenced mobile telecommunications operations.

(b) Adequate space shall be allowed on site by the developer for an additional equipment container by a second telecommunications operator should such be required.

Reason: In the interest of avoiding of a multiplicity of masts, in the interest of visual amenity and the proper planning and sustainable development 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.