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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Wexford County Council**

**Planning Register Reference Number: 20191042**

**Appeal** by Shared Access Limited care of Pegasus Group of First Floor, South Wing, Equinox North, Great Park Road, Almondsbury, Bristol, United Kingdom against the decision made on the 11<sup>th</sup> day of September 2019 by Wexford County Council to refuse permission for the proposed development.

**Proposed Development:** The erection of 24 metres multi-user free standing structure to support telecommunications antennae for use by Eir and other operators, which together with the installation of dishes and ground based equipment cabinets will provide 2G, 3G and 4G mobile electronic communication services from the installation at Naomh Eanna GAA Club, Clonattin Lower, Gorey, County Wexford.

**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 the existing pattern of development in the area, and the nature and scale of the proposed development, and having regard to the National Planning Framework, to the Wexford County Development Plan 2013-2019 and the Gorey Local Area Plan 2017-2023, and to the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of Housing, Planning and Local Government in July, 1996, 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 or of property in the vicinity. The proposed development 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. The transmitter power output, antenna type and mounting configuration, and the number of antennae and dishes to be affixed to the proposed monopole structure, shall be in accordance with the details submitted with this application and, notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, 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 allow the planning authority to assess any future alterations through the statutory planning process.

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 the proposed colour scheme for the telecommunications structure and ancillary structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. Landscaping of the site shall be carried out in accordance with a landscaping scheme, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

6. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, no advertisement or advertisement structure shall be erected or displayed on the proposed monopole 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, and to allow the planning authority to assess the impact of any such advertisement through the statutory planning process.

7. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or such other security as may be acceptable to the planning authority, to secure the satisfactory reinstatement of the site, coupled with an agreement empowering the planning authority to apply such security or part thereof to the satisfactory completion of the reinstatement, including all necessary demolition and removal. The form and amount of the security shall be agreed between the planning authority and the developer, or in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory reinstatement of the site, in the event of decommissioning and future removal of the permitted structure.

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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**