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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 19/1168**

**Appeal** by Hibernian Cellular Networks Limited care of Kiaran O'Malley and Company Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 30<sup>th</sup> day of March, 2020 by Kildare County Council to grant subject to conditions a permission to Cignal Infrastructure Limited care of 4site Networks of 4site House, Raheen Business Park, County Limerick in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** Construct a 42-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, a new access track and, associated site works, all at Athy Business Campus, Woodcock South, Athy, 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) national policy regarding the provision of mobile communications services;
- (b) the “Telecommunications Antennae and Support Structures Guidelines for Planning Authorities”, issued by the Department of the Environment and Local Government 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 policy of the planning authority, as set out in the Kildare County Development Plan 2017 - 2023, to support the provision of telecommunications infrastructure;
- (d) the nature and scale of the proposed telecommunications support structure;
- (e) the existing pattern of development in the area; and
- (f) the planning history for telecommunications structures in the area,

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 not be contrary to the overall provisions of the current Development Plan for the area. 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, as amended by the further plans and particulars submitted on the 11<sup>th</sup> day of March, 2020, 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 proposed support structure shall be finished in a dark green or dark grey colour, and the proposed security fence and equipment cabinets shall be finished throughout in a dark green colour only.

**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. No advertising signage shall be erected on the monopole mast, equipment cabinets or security fence.

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

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**Paul Hyde**

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

**Dated this            day of            2020.**