



An  
Bord  
Pleanála

Board Order  
ABP-308861-20

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**Planning and Development Acts 2000 to 2020**

**Planning Authority: Kerry County Council**

**Planning Register Reference Number: 20/863**

**Appeal** by Eircom Limited care of Towercom of 2 Grand Canal Square, Dublin against the decision made on the 13<sup>th</sup> day of November, 2020 by Kerry County Council to refuse permission to Eircom Limited for the proposed development.

**Proposed Development:** Erect a new 21 metre monopole telecommunications support structure together with antennas, dishes and associated works all enclosed in security fencing, all at Farranfore, County Kerry.

## **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 “Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in July 1996;
- (b) Circular PL 7/2012 Telecommunications Antennae and Support Structures Guidelines, published by the Department of Housing, Local Government and Heritage on the 9<sup>th</sup> day of March, 2021;
- (c) the objectives of the Kerry County Development Plan 2015 – 2021;
- (d) the nature and scale of the proposed telecoms monopole;
- (e) the submissions submitted with the application and the appeal;
- (f) the decision of the planning authority; and
- (g) the report of the Inspector

the Board considered that, subject to compliance with the conditions set out below, the proposed development, would achieve the objectives, as set out in National Policy under the “Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in July 1996, Circular PL 7/2012 Telecommunications Antennae and Support Structures Guidelines, published by the Department of Housing, Local Government and Heritage on the 9<sup>th</sup> day of March, 2021 and the current Development Plan for the area.

Furthermore, the Board was satisfied that the proposed development, having regard to its limited nature and scale set against the context of the existing telecoms mast at the Eir Exchange, would not seriously injure the residential amenities of adjoining properties and would not seriously injure the visual amenities of the area. It was also considered, given the height of the monopole and its location in the village of Farranfore and again to its limited nature and scale set against the context of the existing telecoms mast and its distance from the airport, that the proposed development would not adversely affect the operations of Kerry Airport .The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board was satisfied, having regard to the height, location and distance relative to the airport (on Main Street) of the proposed telecommunications structure, that it would not pose a potential safety risk to aircraft, would not negatively affect the operations of Kerry Airport and would not lead to possible penetration of the obstacle limitation surfaces for the airport. The proposed development would, therefore, be in accordance with Objectives RD-10, RD-38 and RD-40 of the Kerry County Development Plan 2015 - 2021.

Furthermore, the Board was satisfied, having regard to its limited nature and scale set against the context of the existing telecoms mast at the Eir Exchange within Farranfore Village, that the proposed development would integrate satisfactorily into the urban landscape and would not be unduly obtrusive in this area. It is considered that the proposed development would not, therefore, adversely impact on the character of the village environment.

## 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 the 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 site shall be reinstated on 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 prior to commencement of development.

**Reason:** In the interest of orderly development.

3. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site.

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

4. A fixed red obstacle light shall be fitted as close to the top of the structure 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 and the Irish Aviation Authority prior to commencement of development.

**Reason:** In the interests of public and aviation safety.



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**Paul Hyde**

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

Dated this 17<sup>th</sup> day of June 2021.