

An
Bord
Pleanála

Board Order
ABP-310007-21

Planning and Development Acts 2000 to 2020

Planning Authority: Wicklow County Council

Planning Register Reference Number: 20/1095.

Appeal by Vantage Towers Limited care of Charterhouse Telecommunications Consultants Limited of Tea Lane, Listowel, County Kerry against the decision made on the 30th day of March, 2021 by Wicklow County Council to refuse permission to the said Vantage Towers Limited for the proposed development.

Proposed Development: Erection of a 24 metres high lattice telecommunications support structure together with antennas, dishes and associated telecommunications equipment all enclosed in security fencing, all at Rock Farm, Brittas, Brittas Bay, County Wicklow.

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

In coming to its decision, the Board had regard to the following:

- (a) the "Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities" issued by the Department of Environment and Local Government in July, 1996,
- (b) the Telecommunications Antennae and Support Structures and Department and Environment, Community and Local Government Circular Letter PL 07/12,
- (c) the objectives of the Wicklow County Development Plan 2017 – 2022 including the landscape strategy and objectives NH51 and NH52 and Telecommunications Objectives T1, T2 and T3,
- (d) the nature and scale and location of the proposed telecommunication structure,
- (e) the documentation on the file, and
- (f) the decision of the planning authority,

and considered that the proposed development, subject to compliance with the conditions set out below, would comply with the objectives set out in National Policy and the Wicklow County Development Plan 2017 – 2022, would not seriously injure the visual or residential amenities of the area and would otherwise 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 that, having regard to its location, the proposed development, by itself and cumulatively with the existing wind turbine on site, would not constitute a visually prominent and incongruous feature and would not seriously injure the visual amenities and landscape character of the Southern Coastline. In addition, the Board considered that that proposed development was located in a highly suitable and appropriate location for the purposes of providing 2G, 3G and 4G coverage in the area. Furthermore, the Board noted availability of the proposed mast for co-location in the future in accordance with National Policy.

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 particulars received by the planning authority on the 9th day of March, 2021, 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 mast and all associated antennas, equipment and fencing shall be demolished and removed from site when it is no longer required. The site shall be reinstated to its predevelopment condition at the expense of the developer.

Reason: In the interest of orderly development.

3. The antennae 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.

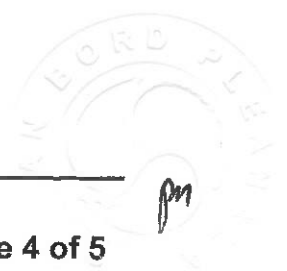
Reason: To clarify the nature and extent of the permitted development to which this permission relates and to facilitate a full assessment of any future alterations.

4. 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.

5. 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.



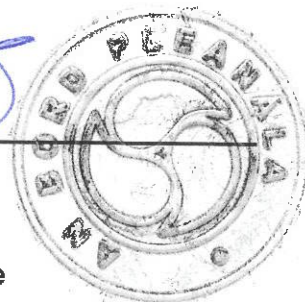
6. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site without a prior grant of planning permission.

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



Paul Hyde

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



Dated this 24th day of November 2021.