An Bord Pleanála

Board Order

ABP-310129-21

Planning and Development Acts 2000 to 2020

Planning Authority: Kildare County Council

Planning Register Reference Number: 20/853.

Appeal by Vodafone Ireland Limited care of Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 7th day of April, 2021 by Kildare County Council to refuse permission for the proposed development.

Proposed Development: The removal of an existing 12 metres telecommunications support structure (overall height 15 metres) together with telecommunications equipment on it and replacement with a new 20 metres telecommunications support structure (overall height 21.5 metres) carrying antennas, dishes, associated equipment, together with ground equipment cabinets and new fencing for wireless data and broadband services at Eir Exchange, R411 Road, Ballymore Eustace, 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 the provisions of the Kildare County Development Plan 2017-2023 and 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 19th day of October, 2012, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the relevant provisions of the Kildare County Development Plan 2017-2023 and would not seriously injure the amenities of 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 appeal on the 4th day of May, 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 antennae type and mounting configuration shall be in accordance with the details submitted with the appeal, 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. The diameter of the permitted monopole mast shall not exceed one metre at any point above the ground level shown on the section drawings submitted with the appeal.

   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.

3. 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.

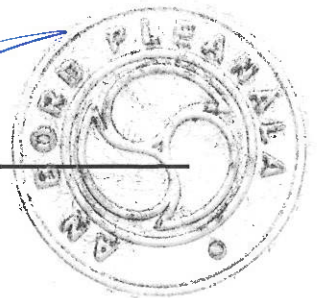   **Reason:** In the interest of the visual amenity.

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

   Reason: In the interest of visual amenity.

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

Dated this 29th **day of** June **2021.**