

An
Bord
Pleanála

Board Order
ABP-311081-21

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: 21/631

Appeal by Eir (Eircom Limited) care of Towercom of Usher House, Main Street, Dundrum, Dublin against the decision made on the 14th day of July, 2021 by Wicklow County Council to refuse permission for the proposed development.

Proposed Development: The construction of an 18 metre monopole support structure (overall height of 19.5 metres) carrying telecommunications antennas, dishes and associated equipment, together with new ground level equipment cabinets, landscaping and all associated site works at Eir Exchange, Ballymanus Lower, Glenealy, 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 1996,
- b. The Telecommunications Antennae and Support Structures and Department and Environment, Community and Local Government Circular Letter PL07/12,
- c. The objectives of the Wicklow County Development Plan 2016 – 2022,
- d. The nature and scale and location of the proposed telecommunication structure,
- e. The submissions and observations received, and
- f. The decision of the planning authority.

and considered that the proposed development, subject to compliance with the conditions set out below, would achieve the objectives set out in National Policy and the Wicklow County Development Plan 2016 – 2022. It is considered that the proposed development would not seriously injure the visual or residential amenities of the area and 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 that having regard to the above-mentioned guidelines and to the height, scale and location of the proposed development, it would not seriously injure the visual amenities of the area and of residential amenities of property in the vicinity.

Furthermore, the Board was satisfied that, having regard to the location of the site on the R752 and to the established built form and character of Glenealy, that the proposed development, would be visually acceptable and would not seriously injure the character of the streetscape and would not set an undesirable precedent for future development in this area having regard to the nature of the telecommunications structure. 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 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.

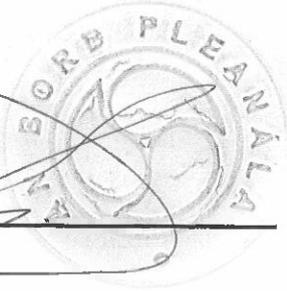
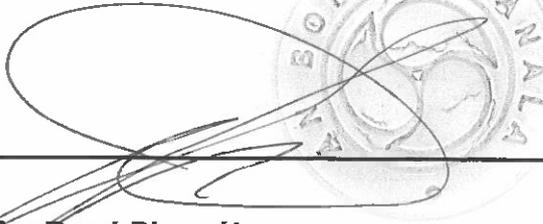
Reason: In the interest of public safety.

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 8th day of FEBRUARY 2022