



An  
Bord  
Pleanála

Board Order  
ABP-311104-21

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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kilkenny County Council**

**Planning Register Reference Number: 20/773**

**Appeal by** John, Carmel and Robert Millea of Catstown, Hugginstown, County Kilkenny and by Bryan Connolly and Barbara Wheeler-Connolly of Catstown, Hugginstown, County Kilkenny against the decision made on the 26<sup>th</sup> day of July, 2021 by Kilkenny County Council to grant subject to conditions a permission to Cignal Infrastructure Limited care of 4-Site, 4Site House, Raheen Business Park, Limerick in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** To construct a 30 metre multi-user lattice mobile and broadband tower with delta headframe carrying telecommunications equipment, together with associated equipment and cabinets enclosed within a 2.4 metre palisade fence compound on Coillte land at Castlemorris, Catstown, Hugginstown, County Kilkenny.

## **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 National Planning Framework – Project Ireland 2040,
- (b) the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities issued by the Department of Environment and Local Government in July, 1996,
- (c) the Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities issued by the Department of the Environment and Local Government Circular Letter PL07/12,
- (d) the objectives of the Kilkenny County Development Plan 2014-2020, and
- (e) the nature, scale and location of the proposed telecommunications structure,

it is considered that the proposed development, subject to compliance with the conditions set out below, would achieve the objectives set out in the National Policy and the Kilkenny County Development Plan 2014-2020, 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.

## 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 the site when it is no longer required. The site shall be reinstated to its pre-development conditions 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 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 the commencement of the 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 the development.

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



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 visual amenities of the area.



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**Paul Hyde**

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

Dated this *1<sup>st</sup>* day of *FEBRUARY* 2022.