



An
Bord
Pleanála

Board Order
ABP-311355-21

Planning and Development Acts 2000 to 2021

Planning Authority: Louth County Council

Planning Register Reference Number: 21857

Appeal by Aiden Torris of Battsland, Station Road, Dunleer, County Louth against the decision made on the 26th day of August, 2021 by Louth County Council to grant subject to conditions a permission to Eircom (trading as eir) care of Towercom of Unit 2 Listowel Business Development Centre, Clieveragh Industrial Estate, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Proposed development consisting of the erection of a 24-metre lattice telecommunications structure together with antennas, dishes and associated telecommunications equipment, all at Eir Exchange, Battsland, Dunleer, County Louth.

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 nature and scale of the proposed development for the replacement of an existing telecommunications support structure with 24-metre lattice structure carrying telecommunications equipment with ancillary ground-mounted infrastructure, the proposed development would be in accordance with the “Telecommunications Antennae and Support Structures Guidelines for Planning Authorities” issued by the Department of the Environment and Local Government in July 1996, with the policies and objectives of the Louth County Development Plan 2021 - 2027, and the Town Centre zoning for the site, and would not seriously injure the visual or residential amenities of the area or the amenities of property in the vicinity of the site. 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. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

3. The proposed mast and all associated equipment shall be removed from the site when it is no longer required and the site shall be reinstated to its predevelopment condition.

Reason: In the interest of orderly development.

4. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. All landscaping shall be carried out no later than the first planting season following commencement of development on site.

Existing hedgerows, trees and shrubs on site shall be preserved. All planting shall be adequately protected from damage until established. Any plants which die or become seriously damaged or diseased, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of visual amenity.

5. Details of the material finish and colour of the telecommunications support structure and associated equipment shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. The applicant shall provide and make available at reasonable terms, the proposed communications structure for the provision of mobile telecommunications antenna of third party licensed mobile telecommunications operators.

Reason: In the interests of visual amenity and the proper planning and development of the area.


Paul Hyde

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.

Dated this 13th day of April 2022.