

An
Bord
Pleanála

Board Order
ABP-311466-21

Planning and Development Acts 2000 to 2021

Planning Authority: Wexford County Council

Planning Register Reference Number: 20211103

Appeal by Hibernian Cellular Networks Limited care of Jennings O'Donovan and Partners Limited of Finisklin Business Park, Sligo against the decision made on the 3rd day of September, 2021 by Wexford County Council to refuse permission for the proposed development.

Proposed Development: Erection of a 36 metre high lattice support structure carrying antennas and dishes together with associated ground-based equipment containers all enclosed in security fencing together with access track at Waddingsland, Saint Helens, County Wexford.

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, extent and design of the proposed development, the provisions of the current Wexford County Development Plan as extended, and relevant National Guidance it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area. The applicant has provided sufficient information to demonstrate that the site is appropriate for a telecommunication installation and that there is a need for this structure at this location. 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 transmitter power output, antenna 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.

3. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.

4. Details of the proposed colour scheme for the telecommunications structure, ancillary structures and fencing 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.

5. 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.

Reason: In the interest of visual amenity.

6. When no longer required, the monopole and associated equipment/compound shall be permanently removed from the site.

Reason: In the interest of visual amenity.

7. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or its appendages or within the curtilage of the site.

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

8. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between the hours of 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the amenities of property in the vicinity

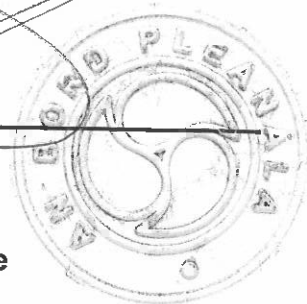
9. Within six months of the date of cessation of use, the telecommunications structure and ancillary structures shall be removed and the site shall be reinstated at the developer's expense. Details relating to the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the date of cessation of the use of the structure. Reinstatement shall be deemed to include the grubbing out of and replanting of the access track created in association with the development permitted herein.

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 11th day of February 2022.