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**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 20/1561**

**Appeal** by Eircom Limited (trading as eir) care of Towercom Limited of Unit 2, Listowel Business Development Centre, Clieveragh Industrial Estate, Listowel, County Kerry against the decision made on the 2<sup>nd</sup> day of September, 2021 by Kildare County Council to refuse a permission for the proposed development.

**Proposed Development:** To erect an 18 metre high monopole telecommunications support structure together with antennas, dishes and associated equipment at the eir Exchange, Logstown Road, Kilcullenbridge Townland, Kilcullen, 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.**



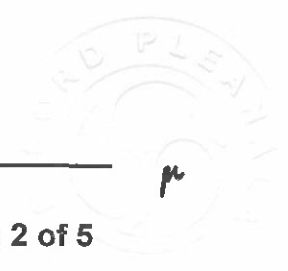
## **Matters Considered**

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**

In coming to its decision, the Board had regard to the following:

- (a) the national policy regarding the provision of mobile and telecommunications services,
- (b) the guidelines relating to Telecommunications Antennae and Support Structures Guidelines for Planning Authorities, issued by the Department of Environment and Local Government in 1996, as updated by Circular Letter PL/07/12, issued by the Department of the Environment, Community and Local Government on the 19<sup>th</sup> day of October 2012,
- (c) the policy and objectives of the Kildare County Development Plan 2017-2023,
- (d) the nature and scale and location of the proposed telecommunication structure,
- (e) the submissions and observations received on file,



(f) the decision of the planning authority, and

(g) the Inspector's Report,

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 in the Kildare County Development Plan 2017-2023. 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 location of the site within an existing and established Eircom telecommunications exchange, the proposed development would be located in a highly suitable and appropriate location for the purposes of providing 2G, 3G and 4G coverage in the area. Furthermore, the Board considered that the new replacement structure to the rear of an existing dwelling to the north-west of the site would not seriously injure the residential amenities of the property and would not have an overbearing or disproportionate impact on the existing dwelling. The proposed development would, therefore, be in accordance with 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. 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.

3. 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.

4. 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.

5. 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.

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 1<sup>st</sup> day of February 2022