

An
Bord
Pleanála

Board Order
ABP-311657-21

Planning and Development Acts 2000 to 2021

Planning Authority: Wicklow County Council

Planning Register Reference Number: EX25/2021

WHEREAS a question has arisen as to whether the erection of four mobile phone masts (antennæ) at Bridgewater Shopping Centre, Arklow, County Wicklow is or is not development or is or is not exempted development:

AND WHEREAS Maura O'Grady of 'Cronan', Seaview Avenue, Arklow, County Wicklow requested a declaration on the said question from Wicklow County Council and the said Council issued a declaration on the 28th day of September, 2021 stating that the said matter is development and is exempted development:

AND WHEREAS Maura O'Grady referred the declaration for review to An Bord Pleanála on the 13th day of October, 2021:

AND WHEREAS An Bord Pleanála, in considering this referral, had regard particularly to –

- (a) Sections 2, 3, 4, and 177U of the Planning and Development Act 2000, as amended,
- (b) Articles 5, 6 and 9 of the Planning and Development Regulations 2001, as amended,
- (c) Part 1 of Schedule 2, Exempted Development, with particular reference to Classes 31 (f), (j) and (k),
- (d) The planning history of the site,
- (e) The submissions made on file, and
- (f) The report of the Inspector.

AND WHEREAS An Bord Pleanála has concluded that:

- (a) The erection of the Eir telecommunications masts, antennae, dishes and cabinet is development, which comes within the conditions and limitations of Class 31 (f) and (k) of Planning and Development Regulations 2001, as amended.
- (b) The replacement of the Vodafone support structures is development and does not come within the limitation of Class 31 (j) 3(a).
- (c) The replacement of Vodafone antennae and dishes is development and does come within the limitation of Class 31 (j) 5(b)(i).
- (d) The Vodafone cabinet is not development.



NOW THEREFORE An Bord Pleanála, in exercise of the powers conferred on it by Section 5(3)(a) of the Planning and Development Act 2000, as amended, hereby decides that:

- (a) The Eir telecommunications infrastructure is development and is exempted development.
- (b) The Vodafone support structure is development and is not exempted development.
- (c) The Vodafone antennae and dishes are development and are exempted development.
- (d) The Vodafone cabinet is not development.

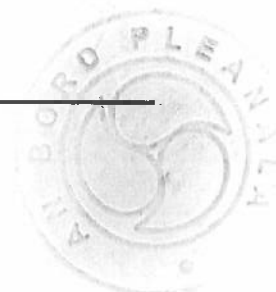
Una Crosse

Una Crosse

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board



Dated this *26th* day of *May* 2023.