



An  
Bord  
Pleanála

## Board Order ABP-311942-21

---

**Planning and Development Acts 2000 to 2021**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: S254L/000681**

**Appeal** by Cignal Infrastructure Limited care of Jason Redmond and Associates of 5 Lismard Court, Portlaoise, County Laois against the decision made on the 7<sup>th</sup> day of October, 2021 by Kildare County Council to refuse a licence.

**Licence Application:** Streetpole solution for broadband coverage blackspots on public footpath along R149 at Newtown, Leixlip, County Kildare.

### Decision

In exercise of the powers conferred on it under section 254 of the Planning and Development Act, 2000, as amended, An Bord Pleanála, directs the planning authority to grant a licence, 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 section 254 of the Planning and Development Act, 2000, as amended, to the provisions of the Kildare County Development Plan 2017-2023, particularly Section 8.13 'Telecommunications Infrastructure', to the Leixlip Local Area Plan 2020-2023, including Policies TL1 and TL 4, and to the 'Telecommunications Antennae and Support Structures Guidelines for Planning Authorities (1996) (as updated by Circular Letters PL 07/12 and PL11/2020, respectively), it is considered that, subject to compliance with the conditions set out below, the proposed development would not endanger public safety by reason of traffic hazard, would not be visually intrusive or seriously injurious to the visual or residential amenity of the area or of properties in the vicinity, and would, otherwise, 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 licence shall be valid for five years from the date of this Order. The telecommunications structure and related ancillary structures, including any access arrangements shall then be removed and the site lands shall be reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, planning permission shall have been granted for their retention for a further period.

**Reason:** To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period.

3. 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.

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 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.

  
\_\_\_\_\_  
Paul Hyde

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

Dated this 30<sup>th</sup> day of March 2022