



An
Bord
Pleanála

Board Order
ABP-312269-21

Planning and Development Acts 2000 to 2021

Planning Authority: Waterford City and County Council

Planning Register Reference Number: 21/828

Appeal by Signal Infrastructure Limited care of David Mulcahy Planning Consultants Limited of 67 The Old Mill Race, Athgarvan, County Kildare against the decision made on the 21st day of October, 2021 by Waterford City and County Council to refuse a licence.

Licence Application: 15 metres Alpha 2.0 streetpole solution with antennas and ground equipment at Public Grass Verge along Dunmore Road, Waterford County Waterford.

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.

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REASONS AND CONSIDERATIONS

Having regard to:

- the provisions of Section 254 of the Planning and Development Act, 2000, as amended,
- Objective 48 of the National Planning Framework 2020 – 2040 in relation to digital communications and services infrastructure,
- the Telecommunications Antennae and Support Structures Guidelines, 1996, as revised by Circular Letter PL 07/12, and
- Objective UTL 16 of the Waterford City and County Development Plan 2022 – 2028 in relation to ICT/Communications,

it is considered that, subject to compliance with the conditions set out below, the proposal would contribute to the roll out of broadband services in accordance with national and local objectives. This proposal would be consistent with the convenience and safety of road users, including pedestrians, and it would be compatible with the visual and residential amenities of the area. No water or Appropriate Assessment issues would arise. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

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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, and ancillary structure 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. (a) This licence shall apply for a period of five years from the date of this Order. The telecommunications structure and related ancillary structure shall then be removed unless, prior to the end of the period, a licence shall have been granted for their retention for a further period.

(b) The site shall be reinstated on removal of the telecommunications structure and ancillary structures. Details relating to the removal and reinstatement shall be submitted to and agreed in writing with the planning authority at least one month before the date of expiry of this licence.

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Reason: To enable the impact of the development to be re-assessed, having regard to changes in technology and design during the specified period, and any emerging proposals for Dunmore Road.



Peter Mullan



Peter Mullan

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

Dated this *12th* day of *May*, 2023.