

Planning and Development Acts 2000 to 2021

Planning Authority: Offaly County Council

Planning Register Reference Number: 21/667

Appeal by Hibernian Cellular Networks Limited care of Kieran O'Malley and Co Limited of Saint Heliers, Saint Heliers Copse, Stillorgan Park, Blackrock, County Dublin against the decision made on the 20th day of December, 2021 by Offaly 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 in the townland of Knockhill and Drinagh, Kilcormac, County Offaly.

Decision

GRANT permission for the above proposed development based on the reasons and considerations under and subject to the conditions set out below.

Reasons and Considerations

Having regard to:

- (a) the National Planning Framework – Project Ireland 2040,
- (b) the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in 1996,
- (c) the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities issued by the Department of the Environment and Local Government Circular Letter PL07/12,
- (d) the objectives of the Offaly County Development Plan 2021 - 2027, and
- (e) the nature, scale and location of the proposed telecommunications structure, and
- (f) the report of the Inspector,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area, would be in accordance with the objectives set out in National Policy and the Offaly County Development Plan 2021 - 2027 and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The proposed 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The proposed mast and all associated antennas, equipment and fencing shall be demolished and removed from the site when they are no longer required. The site shall be reinstated to its pre-development conditions at the expense of the developer.

Reason: In the interest of orderly development.

3. The antennae type and mounting configuration shall be in accordance with the details submitted with the 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.

4. A low intensity fixed red obstacle light shall be fitted as close to the top of the proposed mast as practicable and shall be visible in all directions 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 the commencement of development.

Reason: In the interest of public safety.

5. Details of the proposed colour scheme for the telecommunications structure and ancillary structures and the proposed landscaping scheme to screen the proposed telecommunications equipment container and the operator equipment cabinet shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of visual amenity.

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.

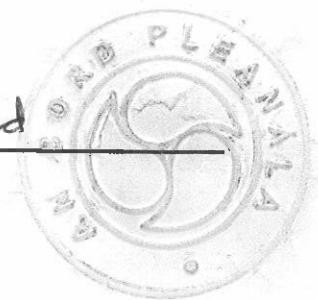
Reason: In the interest of the visual amenities of the area.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 31st day of Aug. 2022.