



An
Bord
Pleanála

Board Order
ABP-312739-22

Planning and Development Acts 2000 to 2021

Planning Authority: Offaly County Council

Planning Register Reference Number: 21/4

Appeal by Knockaulin Drive Residents' Association care of Mary Campbell of Mount Waverly, Knockaulin Drive, Ferbane, County Offaly against the decision made on the 21st day of January, 2022 by Offaly County Council to grant subject to conditions a permission to Signal Infrastructure Limited care of 4site of 4site House, Raheen Business Park, Limerick in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of an existing 45-metre lattice communications structure together with associated equipment and compound and permission to attach three number antennae and two number transmission dishes together with associated equipment and cabinets, all at Knockaulin Drive, Ferbane, County Offaly, as revised by the further public notices received by the planning authority on the 17th day of December, 2021.

Decision

GRANT permission for the above development in accordance with the said plans and particulars 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 by Circular Letter PL07/12,
- (d) the objectives of the Offaly County Development Plan 2021 - 2027,
- (e) the nature, scale and location of the telecommunications structure proposed to be retained,
- (f) the submissions made in connection with the planning appeal,
- (g) the decision of the planning authority, and
- (h) the report and recommendation of the Inspector,

it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained (the existing 45-metre lattice communications structure together with associated equipment and compound) and the proposed development (three number antennae and two number transmission dishes together with associated equipment and cabinets) would comply with the objectives set out in National Policy and the Offaly County Development Plan 2021 - 2027. The development proposed to be retained and 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.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 3rd day of December, 2021, 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 mast and all associated antennae, 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 condition 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 mast as practicable and shall be visible from 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 proposed ancillary structures shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

6. No advertisement or advertisement structure shall be erected or displayed on the 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.

7. The developer shall provide and make available at reasonable terms the proposed support structure for the provision of mobile telecommunications antenna of third-party licenced telecommunications operators.

Reason: To avoid a multiplicity of telecommunications structures in the area in the interest of visual amenity and the proper planning and sustainable development of the area.

Patricia Calleary

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Member of An Bord Pleanála

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



Dated this 16th day of September 2022.