

An
Bord
Pleanála

Board Order
ABP-313175-22

Planning and Development Acts 2000 to 2021

Planning Authority: Kerry County Council

Planning Register Reference Number: 21/1263

Appeal by Seamus Moynihan on behalf of Muire Gan Smal Primary School of Old Chapel Lane, Castleisland, County Kerry against the decision made on the 7th day of March, 2022 by Kerry County Council to grant subject to conditions a permission to Vantage Towers Limited care of Charterhouse Telecommunications Consultants Limited of Unit 2, Listowel Business Centre, Clieveragh Industrial Estate, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council:

Proposed Development: Erection of a 24 metres high monopole telecommunications support structure together with antennae, dishes, and associated telecommunications equipment, all enclosed in security fencing at the grounds; all at Castleisland Co-Op Mart, in the townlands of Tonbwee And Knockananlig, Castleisland, County Kerry.

Decision

GRANT permission for the above proposed 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 the following:

- (a) the provisions of the current Kerry County Development Plan,
- (b) the provisions of the Killarney Municipal District Local Area Plan 2018-2024,
- (c) the Telecommunications Antennae and Support Structures Guidelines for Planning Authorities issued by the Department of the Environment and Local Government in July 1996,
- (d) Circular Letter PL 07/12, issued by the Department of the Environment, Community and Local Government in October 2012,
- (e) Circular Letter PL 01/2018, issued by the Department of Housing, Planning and Local Government in February 2018,
- (f) the location of the proposed development site within the Castleisland Co-Operative Livestock Mart grounds,
- (g) the nature and scale of the proposed development,
- (h) the submissions and observations received, and
- (i) the planning officer reports and decision of the planning authority,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual amenity of the area, would not seriously injure the amenities of adjoining properties or the amenities of the area and would be acceptable in terms of traffic safety and convenience. The proposed development, 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 information submitted to the planning authority on the 8th day of February, 2022, 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 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 proper planning and sustainable development

3. 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.

4. (a) In the event of the proposed structure becoming obsolete and being decommissioned, the developer shall, at their own expense, remove the mast, antenna and ancillary structures and equipment.
- (b) The site shall be reinstated upon the removal of the telecommunications structure and ancillary structures. Details of the removal and reinstatement shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of development.

Reason: In the interest of orderly development.

5. 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.

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.

7. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

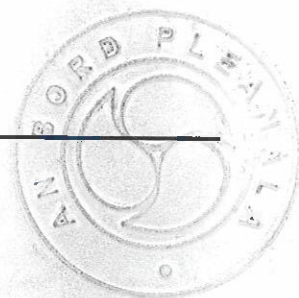
Reason: In the interest of public health and to prevent flooding.



Michelle Fagan

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 5th day of August 2022.