

An
Bord
Pleanála

Board Order
ABP-313295-22

Planning and Development Acts 2000 to 2021

Planning Authority: Galway County Council

Planning Register Reference Number: 22/40

Appeal by Vantage Towers Limited care of Charterhouse Infrastructure Consultants of Unit 2, Listowel Business Centre, Clieveragh Industrial Estate, Listowel, County Kerry and by Patrick Horan care of Garry Horan of 58 Riverdale Estate, Captain's Hill, Leixlip, County Kildare against the decision made on the 16th day of March, 2022 by Galway County Council to grant subject to conditions a permission to the said Vantage Towers Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erect a 27-metre-high telecommunications lattice structure together with antennas, dishes and associated telecommunications equipment enclosed by security fencing at Cahergowan, County Galway.

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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:

- (a) the Department of the Environment, Heritage and Local Government Section 28 Statutory Guidelines; Telecommunications Antennae and Support Structures: Guidelines for Planning Authorities, 1996, as updated by circular letter PL 07/12 in 2012,
- (b) the Galway County Development Plan 2022-2028,
- (c) the low landscape sensitivity of the area,
- (d) the distance between the proposed telecommunications structure and sensitive receptors, including residential development and national monuments and protected structures,
- (e) the nature and scale of the proposed telecommunication structure,
- (f) the demonstrated need for the telecommunications infrastructure at this location,
- (g) Circular Letter PL 03/2018, and



- (h) the adopted Galway County Council Development Contribution Scheme (as revised 1st August 2019).

it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually intrusive or seriously injure the amenities of the area or the residential amenities of properties in the vicinity, would not be prejudicial to public health and would not have a significant impact on ecology or on European sites in the vicinity. The proposed development 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 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: In the interest of avoidance of multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development.

3. Within six months of the cessation of the use of the telecommunications structure, all structures shall be removed from the site, and the site shall be reinstated at the operator's expense in accordance with a scheme to be agreed in writing with the planning authority as soon as practicable.

Reason: In the interest of protecting the landscape.

4. Details of the proposed colour scheme for the telecommunications structure and ancillary structures 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.

5. 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.

Reason: In the interest of public safety.

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.

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

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7. Site development and building works shall be carried out only between the hours of 0800 to 1900 Mondays to Fridays, inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

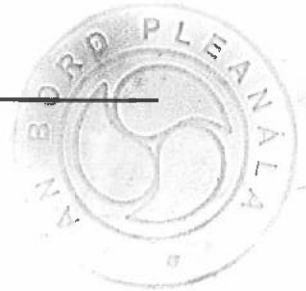
Reason: In order to safeguard the residential amenities of property in the vicinity.

Eamonn Patrick Kelly

Eamonn Patrick Kelly

Member of An Bord Pleanála

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



Dated this *19* day of *June* 2022.