



An
Bord
Pleanála

Board Order ABP-314891-22

Planning and Development Acts 2000 to 2022

Planning Authority: Longford County Council

Planning Register Reference Number: LC21/18

Appeal by Edwin Jones care of Connellan Solicitors LLP of 3 Church Street, Longford, County Longford against the decision made on the 18th day of February, 2022 by Longford County Council Council to grant, subject to conditions, a licence to Cignal Infrastructure Limited care of Jason Redmond and Associates of 5 Lizard Court, Portlaoise, County Laois.

Licence Application: Section 254 licence for 18 metres street pole solution with AW3871 multi-operator Alpha antenna and ground equipment cabinet at Public Footpath along R397, Keinath, County Longford.

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.

REASONS AND CONSIDERATIONS

Having regard to section 254 of the Planning and Development Act, 2000, as amended, the 'Telecommunications Antennae and Support Structures - Guidelines for Planning Authorities' issued by the Department of the Environment and Local Government in July, 1996 as updated by Circular Letters PL 07/12 issued by the Department of the Environment, Community, and Local Government in 2012 and PL 11/2020 issued by the Department of Housing, Local Government and Heritage in 2020, the provisions of Longford County Development Plan 2021 - 2027, the existing pattern of development in the area, and the nature and scale of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area, or of property in the in the vicinity, or give rise to a traffic or pedestrian hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Board concurred with the Inspector that the development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Board concluded that the proposed development does not fall within a class of development set out in Part 1 or Part 2 of Schedule 5 to the Planning and Development Regulations 2001, as amended, and, therefore, no preliminary examination, screening for Environmental Impact Assessment or Environmental Impact Assessment is required.

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. The maximum height of the telecommunications street pole shall not exceed 15 metres and the maximum width of the structure shall not exceed 360 mm as measured in drawing number SR-1280-103A as received by the planning authority on the 13th day of August, 2021.

Reason: In the interest of the visual amenity of the area and the proper planning and sustainable development of the area.

3. (a) This permission shall apply for a period of five years from the date of this order. The telecommunications structure and related ancillary structures shall then be removed unless, prior to the end of the period, permission 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 permission.

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

4. Notwithstanding the provisions of the Planning and Development Regulations 2001, and any statutory provision amending or replacing them, the telecommunication structures shall not be altered and no additional apparatus shall be attached, without written approval.

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.

5. The public road shall not be adversely affected by the works with regard to pavement, obstructions, road operation, footpaths, verges, drainage or public lighting.

Reason: In the interest of traffic safety and amenity of the area.

6. The proposed cabinets and pole shall be maintained regularly and shall be kept graffiti free.

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

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

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



Dated this *15th* day of *November*, 2023.