

An
Bord
Pleanála

Board Order
ABP-315347-22

Planning and Development Acts 2000 to 2022

Planning Authority: Kilkenny County Council

Planning Register Reference Number: 22/629

Appeal by On Tower Ireland Limited care of Entrust Limited of Unit 1D, Deerpark Business Centre, Oranmore, County Galway in relation to the application by Kilkenny County Council of the terms of the Development Contribution Scheme made for the area in respect of condition number 2 of its decision made on the 15th day of November, 2022.

Proposed Development: 24-metre lattice telecommunications support structure with headframe carrying antennas, dishes, associated equipment, ground-based equipment cabinets and all associated site development works for wireless data and broadband services, all at Loughboy Industrial Estate, Ring Road, Loughboy, County Kilkenny.

Decision

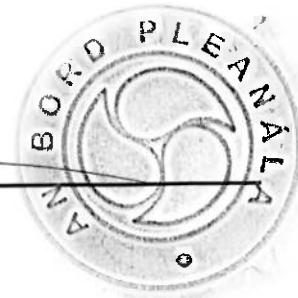
The Board, in accordance with section 48 of the Planning and Development Act 2000, as amended, considered, based on the reasons and considerations set out below, that the terms of the Development Contribution Scheme for the area had not been properly applied in respect of condition number 2 and directs the said Council to REMOVE condition number 2 and the reason therefor.

Reasons and Considerations

Having regard to the adopted Kilkenny County Council Development Contribution Scheme, it is considered that an exemption from the payment of a development contribution applies in respect of masts and antennae and other apparatus/equipment for communication purposes which form part of the National Broadband Scheme, or a subsequent endorsed initiative, as defined by the Department of Communications, Energy and Natural Resources. Condition number 2 of the grant of permission should, therefore, be omitted from the decision to grant permission.


Liam Bergin

Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.



Dated this 25th day of *June* 2024.