



An
Bord
Pleanála

Board Order
ABP-317084-23

Planning and Development Acts 2000 to 2022

Planning Authority: Roscommon County Council

Planning Register Reference Number: LC/21/11

Appeal by Franziska Ludwig care of Peter Thomson Planning Solutions of 4 Priory Grove, Kells, County Kilkenny against the decision made on the 16th day of June, 2021 by Roscommon County Council Council to grant, subject to conditions, a licence to Cignal Infrastructure Limited care of Jaason Redmon and Associates of 5 Lismard Court, Portlaoise, County Laois.

Licence Application: Section 254 Licence for the provision of a smart streetpole and operator cabinet at Dangan, Kilmore, Carrick-on-Shannon, County Roscommon.

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 the provisions of section 254 of the Planning and Development Act 2000, as amended, to the Roscommon County Development Plan 2022 – 2028, to policy objective PPH 3.23 to 'promote the development of Smart Villages in order to develop and diversify the rural economy and build on local enterprise and infrastructure assets to drive innovations', to policy objective ITC 7.63 to 'promote and facilitate the sustainable development of a high-quality ICT network throughout the county, in accordance with the requirements of the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities, in order to achieve balanced social and economic development, whilst protecting the amenities of urban and rural areas', and to policy objective ITC 7.66 to 'ensure that telecommunications structures are located to minimise and /or mitigate any adverse impacts on communities', it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area, would not be prejudicial to public health 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.

The Board considered 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.

In deciding not to accept the Inspector's recommendation to refuse permission, the Board had regard to the information provided by the applicant concerning the nearest functioning telecommunications structures and considered that sufficient technical justification and evidence has been provided in respect of alternative sites to support the location of the development. Furthermore, the Board did not consider the location of the pole and equipment cabinet to be in an area set aside for the comfort and convenience of pedestrians, and the development would not, therefore, hamper or obstruct pedestrians thereby representing a traffic hazard or endangering public safety. In addition, the Board considered the overall streetscape with streetlamps and poles and did not regard the development as a visually obtrusive feature at the centre of a rural village that would have an adverse visual impact on community buildings.

CONDITIONS

1. This licence shall be valid for five years from the date of this Order. The telecommunications structure and related ancillary structures shall then be removed and the lands reinstated on removal of the telecommunications structure and ancillary structures unless, prior to the end of the period, continuance shall have been granted for their retention for a further period.

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

2. No additional dishes, antennae or other equipment, other than indicated on drawing number RN-RCP103A-SR1077 Rev B submitted to the planning authority with the application, shall be attached to the pole or otherwise erected on the site, without first obtaining the written consent of the planning authority.

Reason: In the interest of visual amenity.

3. 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.

Eamonn James Kelly

Eamonn James Kelly

Member of An Bord Pleanála

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

Dated this 14th day of March, 2024.