



An
Bord
Pleanála

Board Order ABP-318384-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 23/60564

Appeal by Pam Fleming and others care of 3 Covent Road, Kinvara, County Galway and by Cormac Keane and others care of 6 Arvough, Kinvara, County Galway against the decision made on the 11th day of October, 2023 by Galway County Council to grant subject to conditions a permission to Vantage Towers Limited care of Charterhouse Infrastructure Consultants of Head Office HQ, 27 Market Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council.

Proposed Development: Erection of a 24 metre high lattice telecommunications support structure together with antennas, dishes, and associated telecommunications equipment, all enclosed in security fencing using an existing access track at Shessanagirba (Townland), Kinvara, County Galway.

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) local policy, namely policy objectives ICT 1, ICT 3 and ICT 5 and DM Standard 42 Telecommunications Masts as set out in the Galway County Development Plan 2022-2028, and
- (b) national policy as set out under 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 letter PL 07/12 issued in 2012,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not be visually intrusive to the local area, would not seriously injure the amenities of the area or the residential amenities of properties in the vicinity, 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.

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.'

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 particulars received by the planning authority on the 15th day of September, 2023, 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, and in the interest of visual amenity and of proper planning and sustainable development.

3. In the event of the telecommunications structure and ancillary hereby permitted ceasing to operate for a period of six months, the structures shall be removed and the site shall be reinstated within three months of their removal. Details regarding the removal of the structures and the reinstatement of the site shall be submitted to, and agreed in writing, within one month of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the operator's expense.

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

4. Details of a colour scheme for the mast and any ancillary structures hereby permitted shall be submitted to, and agreed in writing with the planning authority, prior to the commencement of development, and the agreed colour scheme shall be applied to the mast and any ancillary structures upon erection.

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

5. 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.

6. 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 and public holidays. Deviation from these times will 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 James Kelly

Member of An Bord Pleanála

duly authorised to authenticate

the seal of the Board.



Dated this 31st day of October, 2024