



An
Bord
Pleanála

Board Order ABP-318659-23

Planning and Development Acts 2000 to 2022

Planning Authority: Galway City Council

Planning Register Reference Number: P.DC.23.05

Appeal by Emerald Tower Limited care of Entrust of Unit 1D, Deerpark Business Centre, Oranmore, County Galway against the decision made on the 26th day of October, 2023 by Galway City Council to refuse a licence.

Licence Application: Installation of an 18 metres dual operator pole, associated equipment, together with ground based equipment cabinets and all associated site development works for wireless data and broadband services at Rowan Avenue, Renmore, Galway.

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, national, regional and local policy objectives, as represented in the Galway City Development Plan 2023-2029 and the Department of 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, it is considered that subject to compliance with the conditions set out below, the proposed development would not be visually intrusive or seriously obtrusive to the amenities of the area or the residential amenities of properties in the vicinity. The proposed development, would, therefore, be in accordance with the proper planning and sustainable development of the area.

Environmental Impact Assessment

The Board considered that the proposed 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 planning authority, as amended by the further plans and particulars submitted to the Board on the 7th day of December 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. (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.

3. No advertisement or advertisement structure shall be erected or displayed on the proposed structure or within the curtilage of the site without a prior grant of planning permission.

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

4. Details of the proposed colour scheme for the pole, antennas, equipment containers shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

5. 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.

6. Surface water drainage arrangements for the proposed development shall comply with the requirements of the planning authority.

Reason: In the interest of public health.



Mary Henchy

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

Dated this 29th day of November 2024.