

An  
Bord  
Pleanála

## Board Order ABP-318786-24

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### Planning and Development Acts 2000 to 2022

**Planning Authority: Offaly County Council**

**Planning Register Reference Number: 23/60076**

**Appeal** by Local Residents Group care of Brendan and Dagmar Daly of Kiltubbrid Island, Kinnitty, Birr, County Offaly against the decision made on the 7<sup>th</sup> day of December, 2023 by Offaly County Council to grant subject to conditions a permission to Vantage Towers Limited care of Charterhouse Infrastructure Consultants of 27 Market Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** 30-metre-high telecommunications lattice structure together with antennas, dishes, access track and associated telecommunications equipment, all enclosed by security fencing, all at Kiltubbrid Island, Kinnitty, Birr, County Offaly.

### Decision

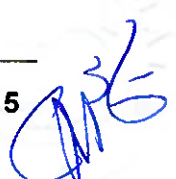
**GRANT** permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

## Reasons and Considerations

Having regard to:

- (a) the "Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities", issued by the Department of the Environment and Local Government in July 1996, as revised by Circular Letter PL07/12;
- (b) the policies and objectives regarding telecommunications structures contained in the Offaly County Development Plan 2022 – 2028;
- (c) the topography of the area, which provides significant screening of the proposed mast and hence minimal visibility of the proposed mast from surrounding areas;
- (d) the totality of the documentation on file, including the Further Information response from the applicant, the reports of the planning authority and the submissions from third parties; and
- (e) the distance of the proposed mast from sensitive human or environmental receptors,

it is considered that, subject to compliance with the conditions set out below, the proposed development would not lead to a proliferation of telecommunications structures in the area, would not pose an environmental risk, would not seriously injure the visual amenities of the area, would provide co-location for other operators, and would, therefore, be in accordance with the proper planning and sustainable development of the area.



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, as 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 proposed development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars received by the planning authority on the 13<sup>th</sup> day of November, 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. Landscaping of the site shall be carried out in accordance with a landscaping scheme which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

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

3. Surface water drainage arrangements shall comply with the requirements of the planning authority for such works and services.

**Reason:** In the interest of public health.



4. The construction of the proposed development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the proposed development, including noise, dust and vibration management measures, rock breaking/excavation methodologies and off-site disposal of construction/demolition waste. This plan shall also set down proposals for the regulation of construction traffic with regard to the junction of the private access road with the L6041 public road.

**Reason:** In the interests of public safety and residential amenity.

5. Site development and building works shall be carried out only between the hours of 0800 and 1900 from Mondays to Fridays inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall 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.

6. The developer/operator of the telecommunications mast shall facilitate the co-location of other third-party telecommunications antennae and associated equipment.

**Reason:** To encourage the co-location of telecommunications facilities and reduce the need for new telecommunications structures.



7. 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.



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

Dated this 28<sup>th</sup> day of June 2024.