



Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

Planning Register Reference Number: 23/60262

Application for Leave to Appeal against the decision of the planning authority by Mary Bernadette Sullivan of 24 Killowen Cottages, Killowen, Kenmare, County Kerry having an interest in land adjoining the land in respect of which Kerry County Council decided on the 18th day of December, 2023 to grant subject to conditions a permission to Cignal Infrastructure Limited care of Indigo of 4Site House, Raheen Business Park, Limerick.

Proposed Development: Install a 42-metre lattice type telecommunications support structure carrying antenna and dishes together with associated ground equipment cabinets, fencing and associated site works, all at Coillte Rossacroe Forestry, Derrybanane, Flesk, County Kerry.

Decision

REFUSE leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

Reasons and Considerations

The applicant for leave to appeal references the potential impact of the proposed development which has been granted permission on the residential amenity of their property and landholding and use thereof. The applicant for leave to appeal also references discrepancies between the planning application submitted and the conditions attached. The Board considered that it has not been shown that the development in respect of which a decision to grant permission has been made will differ materially from the development as set out in the application for permission by reason of any of the conditions imposed by the planning authority to which the grant is subject. This is by reference to the condition(s) specifically referenced by the applicant for leave to appeal or any other condition(s) imposed by the planning authority. The Board, therefore, decided to refuse leave to appeal.



Una Crosse

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

Dated this 13th day of February 2024.