

An
Bord
Pleanála

Board Order ABP-319564-24

Planning and Development Acts 2000 to 2022

Planning Authority: Kerry County Council

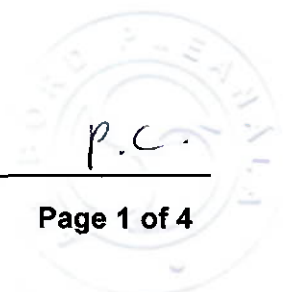
Planning Register Reference Number: 24/60061

Appeal by Tony and Geraldine Mackey of Knocknahoe, Killarney, County Kerry against the decision made on the 26th day of March, 2024 by Kerry 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: 24-metre multi-user lattice tower together with antennas, dishes and associated telecommunications equipment, all enclosed by security fencing at Knocknahoe East, Killarney, County Kerry.

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 the provisions of:

- (a) the National Planning Framework,
- (b) the Regional Spatial and Economic Strategy for the Southern Region,
- (c) the Kerry County Development Plan 2022-2028, which seeks to facilitate and support the delivery of information and communications technology (ICT) infrastructure at appropriate locations,
- (d) the Telecommunications Antennae and Support Structures – Guidelines for Planning Authorities (1996) and associated Circular Letter PL07/12,
- (e) the design, height, location and siting of the proposed development within an area not designated as visually sensitive under the development plan, and
- (f) the separation distance to residential properties,

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. Furthermore, it is considered that, having regard to the Commission for Communications Regulation, outdoor mobile coverage mapping, and based on the technical information submitted with the planning application and the appeal, adequate justification has been demonstrated for the proposed structure. It is considered that the proposed development would be in accordance with Objectives KCDP 11-77, KCDP 11-78, KCDP 14-71, KCDP 14-73, KCDP 14-79 and KCDP 14-80 of the development plan. The proposed development 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 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.

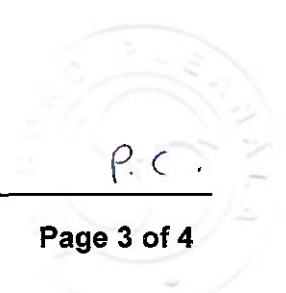
Conditions

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 An Bord Pleanála on the 14th day of January, 2025, 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 proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. A low intensity fixed red obstacle light shall be fitted as close to the top of the mast as practicable and shall be visible from all angles in azimuth. Details of this light, its location and period of operation shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of public safety.



3. In the event of the telecommunications structure and ancillary structures 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 seven months of the structures ceasing to operate, and the site shall be reinstated in accordance with the agreed details at the developer's expense.

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

4. 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: To avoid a multiplicity of telecommunications structures in the area, in the interest of visual amenity and proper planning and sustainable development.

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.

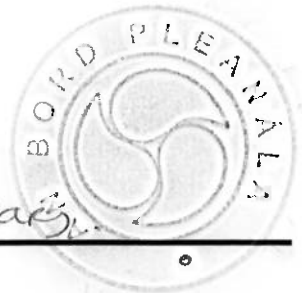
Reason: In the interest of the visual amenities of the area.



Patricia Calleary

Member of An Bord Pleanála

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



Dated this *24* **day of** *February* **2025.**