

An
Bord
Pleanála

Board Order
ABP-320020-24
(ABP-312548-22)

Planning and Development Acts 2000 to 2022

Planning Authority: Galway County Council

Planning Register Reference Number: 20/2010

Appeal by Vodafone Ireland Limited care of Entrust Limited of Unit 1D
Deerpark Business Centre, Oranmore, County Galway against the decision
made on the 15th day of December, 2021 by Galway County Council to refuse
permission for the proposed development.

Proposed Development: Removal of an existing 15.1 metres
telecommunications support structure (overall height 19.6 metres) together
with telecommunications equipment on it and replacement with a new 30
metres telecommunications support structure (overall height of 31.5 metres)
carrying antennas, dishes, associated equipment, together with ground
equipment cabinets and new fencing for wireless data and broadband
services, at Eir Exchange, Barrack Street, Gort, 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

It is considered that subject to compliance with the conditions set out below, and having regard to the location of the proposed development on a site with existing telecommunications structures in an 'Urban Environs Landscape' as per the Galway County Development Plan 2022-2028; that the proposed development would not be visually intrusive or impact negatively upon the built heritage of Gort Architectural Conservation Area and the protected structures within the vicinity; would provide for a required improvement in telecommunications service and infrastructure and would accord with Policy Objectives ICT1 and ICT4 and DM Standard 42 of the Galway County Development Plan 2022 – 2028; and would not be prejudicial to public health or seriously injurious to 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.

In reaching its decision the Board had regard to the location of the proposed development on a site with an existing telecommunications structure which the proposed structure will replace, the presence of a second existing telecommunications structure on an adjacent site which is the location of a protected structure, and the designation of the area as an 'Urban Environs Landscape' in the Galway County Development Plan 2022-2028. The Board accepted the assessment of the need for the structure to provide improved telecommunications services in the area and the lack of suitable alternative structures on which to co-locate. The Board further noted the assessment in Section 7.7.3 of the inspector's report of the changes in the Information and Communications and Technology policy objectives and landscape sensitivity designation between the current development plan and the previous plan under which the application was assessed by the planning authority.

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 Report 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 plans and particulars submitted on the 19th day of November 2021, 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, in the interest of visual amenity and proper planning and sustainable development.

3. The existing mast and any associated structures shall be decommissioned and removed within three months of the date of the new mast becoming operational.

Reason: In the interest of visual amenity.

4. Within six months of the cessation of the use of the telecommunications structure, all structures shall be removed from the site, and the site shall be reinstated at the operator's expense in accordance with a scheme to be submitted in writing for agreement with the planning authority within six months of the date of this Order.

Reason: In the interest of protecting the landscape.

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 0700 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.

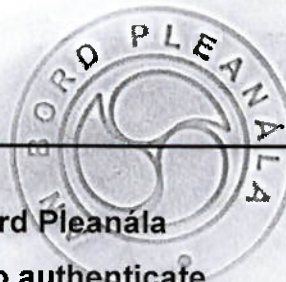
Reason: In order to safeguard the residential amenities of property in the vicinity.

Mary Gurrie

Mary Gurrie

Member of An Bord Pleanála

duly authorised to authenticate
the seal of the Board.



Dated this 25 day of November 2024.