

An  
Bord  
Pleanála

## Commission Order ABP-321715-25

**Planning and Development Acts 2000 to 2022**

**Planning Authority: Kildare County Council**

**Planning Register Reference Number: 2460633**

**Appeal** by Eamonn Domican care of RW Nowlan and Associates of Basement Office, 54 Fitzwilliam Square, Dublin against the decision made on the 13<sup>th</sup> day of December 2024, by Kildare County Council to grant, subject to conditions, a permission to APW UK WIP Limited t/a Icon Tower care of Charterhouse of HQ 27 Market Street, Listowel, County Kerry in accordance with plans and particulars lodged with the said Council.

**Proposed Development:** To erect a 24-metre-high telecommunications lattice tower with antennas, dishes and associated equipment attached, and with equipment cabinets at ground level all enclosed by security fencing at Beechmount, Yellowbogcommon (Td), Kilcullen, County Kildare.

### 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) National policy regarding the provision of mobile and telecommunications services,
- (b) The Telecommunications Antennae and Support Structures Guidelines for Planning Authorities, issued by the Department of the Environment and Local Government in July 1996, as updated by circular Letter PL07/12, issued by the Department of the environment, Community and Local Government on the 19<sup>th</sup> day of October 2012,
- (c) The policy of the planning authority as set out in Kildare Development Plan 2023-2029, to support the provision of telecommunications infrastructure,
- (d) the nature and scale of the proposed telecommunications support infrastructure, and

It is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the visual or residential amenities of the area and would not be contrary to the overall provisions of the current development plans for the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

The Commission considered that the proposed development is a project for the purposes of the Environmental Impact Assessment Directive. However, the Commission 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 application 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. Surface water drainage arrangements shall comply with the requirements of the planning authority for such services and works.

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

3. The developer shall allow, subject to reasonable terms, other licensed mobile telecommunications operators to co-locate their antennae onto the subject structure.

**Reason:** In order to avoid the proliferation of telecommunications structures in the interest of visual amenity.

4. Details of the proposed colour finish for the telecommunications structure, ancillary structures and fencing shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

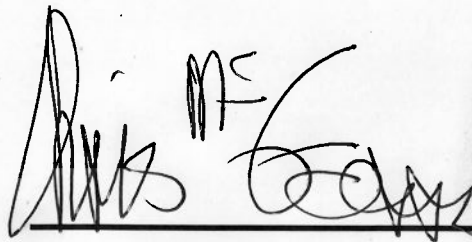
**Reason:** In the interest of the visual amenities of the area and to protect residential amenity.

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 without a prior grant of planning permission.

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

6. On decommissioning of the telecommunications structure, the structure and all ancillary structures shall be removed, and the site reinstated at the developer's expense.


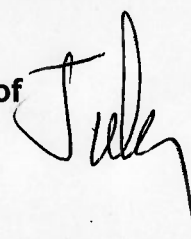
**Reason:** In the interest of clarity.



**Chris McGarry**

**Planning Commissioner of An Coimisiún**

**Pleanála duly authorised to authenticate  
the seal of the Commission.**

Dated this  day of  2025